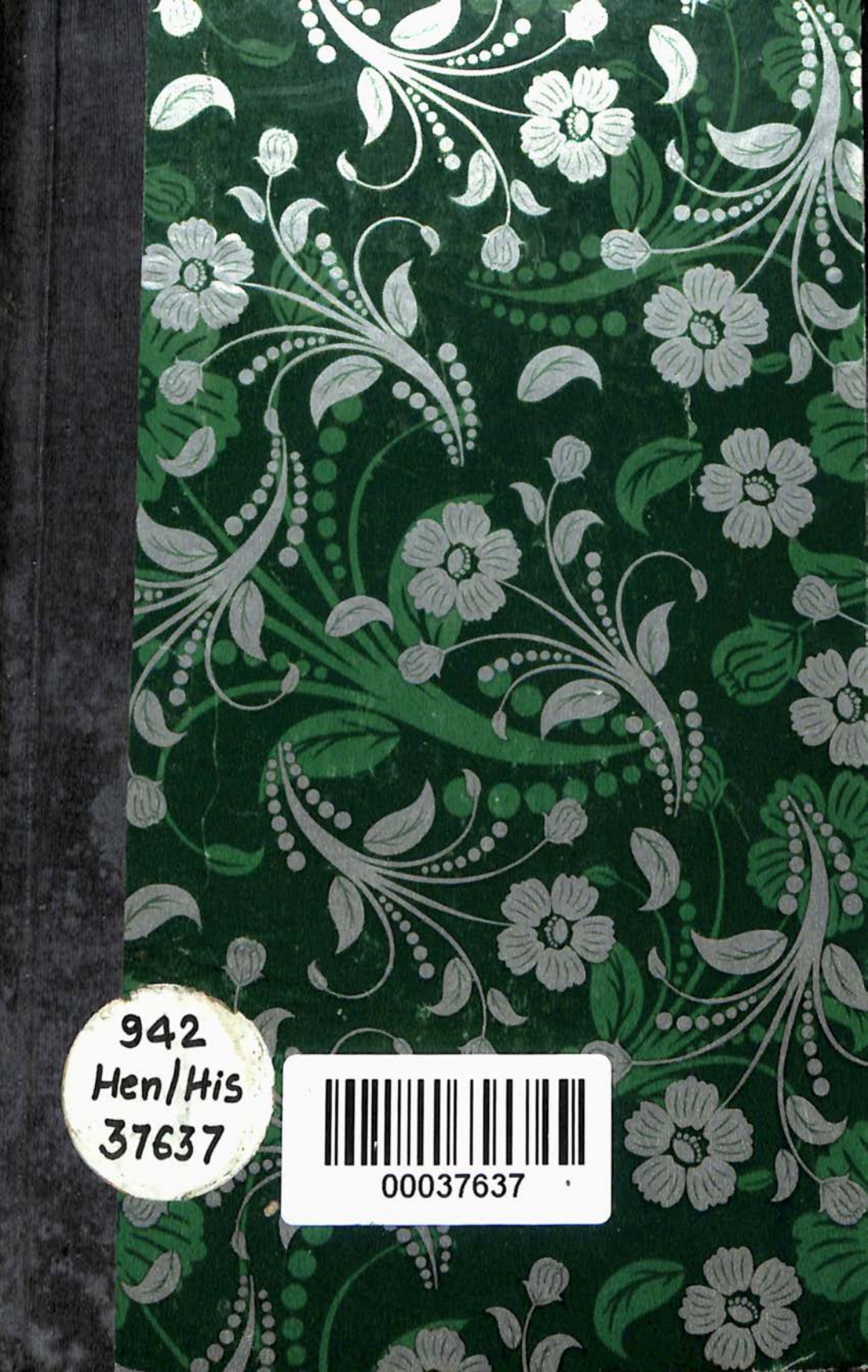
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THE HISTORY OF GREAT BRITAIN.

FROM THE

FIRST INVASION OF IT BY THE ROMANS UNDER JULIUS CÆSAR.

WRITTEN ON A NEW PLAN.

By ROBERT HENRY, D.D.

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THE

HISTORY

OF

GREAT BRITAIN.

BOOK III.

CHAP. III.

History of the Conſtitution, Government, and Laws of Great Britain, from the landing of William duke of Normandy, A. D. 1066, *to the death of king John,* A. D. 1216.

THOUGH the Norman conqueſt was not near ſo ſanguinary as the Anglo-Saxon, it cannot be denied that it was productive of very important changes in the ſtate of England, and particularly in its conſtitution, government, and laws, the ſubject of the preſent chapter. To prevent the repetition of the delineation that hath been already given in the third chapter of the preceding book, of thoſe parts of the Anglo-Saxon conſtitution that were ſtill

Plan of this chapter.

ſtill retained in this period; it is propoſed to divide this chapter into two ſections; and, in the firſt of theſe, to give a very brief account of the moſt conſiderable changes that were introduced by William I. into the conſtitution, government, and laws of England; and, in the ſecond, to deſcribe, with equal brevity, the ſucceſſive alterations in all theſe, that were made by the other princes who reigned in this period. The laws of hiſtory will not admit into theſe ſections thoſe particular details, minute diſtinctions, and controverſial diſquiſitions, that would be proper in a work on law and government; and I am fully determined that they ſhall not be ſwelled with unfriendly depreciating ſtrictures on the labours of other writers.

SECTION I.

Hiſtory of the changes in the Conſtitution, Government, and Laws of England, that were introduced in the reign of William I. *from* A. D. 1066, *to* A. D. 1087.

Thoſe in the loweſt rank in ſociety were ſlaves.

THE changes in the ranks and degrees of men in ſociety, that were introduced into England at the Norman conqueſt, ſeem to have been rather nominal than real. Thoſe who occupied the loweſt rank, ſtill continued in a ſtate of ſlavery; and we have good reaſon to believe, that their numbers were rather increaſed than

dimi-

diminiſhed by that event. None of the Anglo-Saxon ſerfs, who were annexed to the lands which they cultivated, and had been uſually transferred with them from one proprietor to another, could entertain the leaſt hopes of obtaining freedom, or even a mitigation of their ſervitude, when theſe lands were beſtowed on the enemies and conquerors of their nation [1]. On the contrary, many of the Engliſh, who had formerly been free, having been taken priſoners at the battle of Haſtings, or in ſome of the ſubſequent revolts, were reduced to ſlavery; and thought themſelves very happy if they preſerved their lives, though they loſt their freedom. The Norman conquerors for ſome time treated their Engliſh ſlaves with ſo much ſeverity, that a contemporary writer declines giving any deſcription of it, "becauſe its "inhuman cruelty would appear incredible to "poſterity [2]."

Different kinds of ſlaves; as domeſtic ſlaves.

The condition of all theſe unhappy people, in this period, was not equally abject and wretched. There were different degrees of ſervitude, and different kinds of ſlaves that were called by different names, viz.—1. Villains in groſs, who were the perſonal property of their maſters, and performed the loweſt and moſt laborious offices about their maſters houſes [3]. This claſs of ſlaves ſeems to have been very numerous; for Roger Hoveden tells us, that from the reign of Wil-

[1] Ingulph. Hiſt. ſub fin. [2] Hiſt. Elienſ. apud Gale, t. 1. p. 116.
[3] Sir Thomas Smith's Commonwealth of England, p. 123.

liam I. to his own time in the reign of king John, there was hardly a houſe or even cottage in Scotland, in which there was not to be found an Engliſh ſlave[4]. It is not to be imagined that their more opulent neighbours the Normans and Engliſh were worſe provided than the Scots with domeſtic ſlaves. They had indeed ſuch great numbers of them, that they exported and ſold many of theſe unhappy perſons in foreign countries[5].

Predial ſlaves.

2. Villains regardant, or predial ſlaves, who lived in the country, and cultivated the lands of their maſters, to which they were annexed[6]. Theſe were in a better condition than domeſtic ſlaves, and had an imperfect kind of property in their houſes and furniture, and in the little gardens and ſmall pieces of ground which they were allowed to cultivate, at leiſure times, for their own ſubſiſtence. But ſtill their perſons and properties were ſo much in the power of their maſters, that they granted or ſold them to whom they pleaſed[7]. Theſe two formed a very numerous claſs of ſlaves, by whom the demeſnes of all the earls, barons, biſhops, abbots, and great men of England, were cultivated. The villains belonging to ſome of the richeſt abbeys amounted to two thouſand[8].

4 R. Hoveden. Annal p. 260. col. 1.
5 Girald. Cambrenſ. Hibernia Expugnat. p. 770.
6 Sir T. Smith, p. 123. 7 Ingulph. Hiſt. p. 520. col. 1.
8 Walſingham Hiſt. Aug. p. 258.

3. Cottars

3. Cottars (who in the barbarous Latin of thoſe times were called *Cottarii*, becauſe they dwelt in ſmall huts or cottages, near to the manſions of their maſters) compoſed another claſs of ſlaves frequently mentioned in Doomſday-book. They were ſuch as, by the direction of their owners, had been inſtructed in ſome handicraft art or trade, as that of ſmiths, carpenters, &c. which they practiſed for the benefit of their maſters, and were on the ſame footing in all reſpects with villains or predial ſlaves[9]. Cottars.

4. Borders, in Latin *Bordarii*, frequently occur in Doomſday-book, as diſtinguiſhed from villains and cottars; but in what reſpects they differed from them, is not clearly aſcertained. The moſt probable opinion ſeems to be, that they were a kind of upper domeſtic ſervants, who waited at table (then called *bord*), and performed other leſs ignoble offices in their maſters houſes, in which they did not reſide, but in ſmall huts of their own, to which little gardens and parcels of land were annexed, as the fee or reward of their ſervices[10]. From this ſhort and imperfect enumeration it is ſufficiently evident, that a very great proportion of the people of England, in this period, were in a ſtate of ſervitude, or rather in a ſtate of ſlavery. Borders.

As all the children of ſlaves were by their birth in the ſame degrees of ſubjection to the ſame maſters with their parents, this order of Freedmen.

[9] Spelman. Du Cange, in voc. [10] Spelman Gloſſ. in voc.

men muſt have increaſed exceedingly, if many of them had not from time to time obtained their freedom. This they did by various means, but chiefly by uncommon fidelity and diligence, which excited the gratitude of their maſters, and engaged them to make them free [11]. The granting freedom to a certain number of ſlaves was ſometimes enjoined by the clergy, and ſometimes voluntarily performed by penitents, in order to obtain the pardon of their ſins, and for the good of their ſouls. The ceremony of manumiſſion was commonly performed at church, or at the county-court, when the maſter, taking his ſlave by the hand, declared that he made him free; after which he gave him a ſword or ſpear, the arms of a free man; and then commanding all the doors to be thrown open, allowed him to go where he pleaſed [12]. Theſe freed-men poſſeſſed the ſame place in ſociety in this period, that the free-lazen had poſſeſſed in the times of the Anglo-Saxons.

Deſcription of thoſe in the middle ranks in ſociety.

The middle rank in ſociety, that filled up the interval between the freed-men on the one hand, and the nobleſſe and baronage on the other, was chiefly compoſed of three different bodies of men, which had been formerly very diſtinct, but were now united. 1. Thoſe Anglo-Saxon ceorls who had remained neuter in the quarrel between William and Harold, and had not joined in any

[11] Glanvill de Conſuetudini Angliæ, l. 5. c. 5.

[12] Leges Willielmi I. l. 55. Henrici I. l. 78. &c.

of

of the ſubſequent revolts, and were therefore allowed to retain their rank as well as their poſſeſſions, though, for their own greater ſecurity, they generally put themſelves under the protection of ſome great Norman baron, and became his ſocmen. 2. Thoſe Anglo-Saxon thanes and noblemen who were degraded from their former rank, and diveſted of all power, but permitted to retain a part of their poſſeſſions, under the protection of their conquerors. The number of theſe degraded nobles was not inconſiderable; for before the end of the reign of William I. there was hardly ſo much as one Engliſhman who was either earl, baron, biſhop, or abbot[13]; and for more than a century after, to be an Engliſhman was an effectual excluſion from all preferment[14]. 3. Thoſe Frenchmen, Normans, and others, who fought under their ſeveral leaders in the conqueſt of England, and afterwards ſettled on the demeſne lands of thoſe leaders, and became their farmers, ſocmen, and ſmaller vaſſals. All theſe different kinds of people were by degrees blended together, and formed a body, from which the yeomanry and many of the gentry of England are deſcended. The inhabitants of towns and cities were generally of this middle rank.

Norman nobility.

The Norman barons formed the higheſt order of the ſtate, and occupied the ſame place in ſociety after the conqueſt, that the Anglo-Saxon

[13] Ingulphi Hiſt.

[14] Eadmer, p. 94. 110.

thanes had poſſeſſed before that æra, and the nobility and principal gentry of England now poſſeſs [15]. They were a numerous, opulent, and powerful body of men, and (when taken in the moſt extenſive ſenſe) comprehended all the conſiderable proprietors of land in England, eſpecially all thoſe who held immediately of the king *in capite* by military ſervices. The leſſer barons were frequently called *vavaſors*, and correſponded to the leſſer Anglo-Saxon thanes, and to the modern Engliſh gentlemen of ancient families and large eſtates [16]. But barons, in this period, moſt properly were the greater or king's barons, who held immediately of the king an entire barony, conſiſting of thirteen knights fees, and the third part of a knight's fee, yielding an annual revenue of £266 : 13 : 4, or 400 marks [17]: an ample fortune in the times we are now conſidering. Thoſe who held ſuch baronies were the ſpiritual and temporal lords of the kingdom, who enjoyed many ſingular privileges and immunities, and in their own territories were a kind of petty princes (too often tyrants), poſſeſſing both civil and military juriſdiction over their vaſſals [18]. But we ſhall meet with a more convenient opportunity of conſidering the civil authority and military power of the Norman barons.

Great changes in the cir-

Though the acceſſion of William duke of Normandy to the throne of England produced no

[15] See vol. 3. p 329. [16] Selden's Titles of Honour, p. 518.
[17] Vid. Spelman. Du Cange Gloſſ. in voc. *Baro*, *Baronia*.
[18] Id. ibid.

very

very remarkable alteration in the ranks and orders of men in ſociety; it produced many important changes in their political circumſtances, —in the tenures by which they held their lands,— the ſervices and preſtations to which they were ſubjected,—the magiſtrates by whom they were governed,—the courts in which they were judged,—and the laws they were obliged to obey. Theſe changes were chiefly owing to the eſtabliſhment of the feudal ſyſtem of police and government in England by William I. in the ſame ſtate of maturity to which it had then attained in his dominions on the continent.

cumſtances of the people of England.

In the Anglo-Saxon times, all the proprietors of land (the clergy at laſt excepted) were ſubjected to the three following obligations, commonly called the *trinoda neceſſitas*:—1. To attend the king with their followers in military expeditions;—2. To aſſiſt in building and defending the royal caſtles;—3. To keep the highways and bridges in a proper ſtate [19]. To theſe three obligations a fourth, called *a heriot*, was added, by the laws of Canute the Great; which conſiſted in delivering to the king the horſes and arms of his earls and thanes at their death, with certain ſums of money, according to their rank and wealth [20]. That theſe may be called feudal preſtations, and conſidered as a proof that the feudal form of government was not altogether

The feudal ſyſtem of government not altogether unknown before the conqueſt.

19 Hickeſii Diſſertat. Epiſtol. p. 60. Reliquiæ Spelman. p. 22.
20 Wilkins, Leges Saxon.

unknown

unknown to the Anglo-Saxons, need not be diſputed. But to theſe William I. added ſo many others, which ſhall be preſently deſcribed, that he may be juſtly ſaid to have completed, if not to have erected, the fabric of the feudal government in Britain.

The conqueſt a favourable opportunity for eſtabliſhing the feudal ſyſtem.

The ſovereign of a feudal ſtate was, in idea at leaſt, the proprietor of all the lands in his dominions [21]. Part of theſe lands he retained in his own poſſeſſion for the maintenance of his family and ſupport of his dignity; the reſt he granted to certain of his ſubjects, as benefices or fees for ſervices to be performed by them, and on ſuch other conditions as he thought proper to require, and they to accept. By the numerous forfeitures after the battle of Haſtings, and the ſubſequent revolts, and by the abject ſtate to which even thoſe of the Engliſh who had not forfeited were reduced, the idea of a feudal ſovereign was almoſt realized in William I. and he beheld a very great proportion of the lands in England at his diſpoſal, which enabled him to eſtabliſh the feudal ſyſtem of government in its full extent, with little or no difficulty. Nor did he neglect this favourable opportunity of introducing into his new dominions that form of government, to which he and his followers had been long accuſtomed, and which was ſo well adapted to preſerve that important acquiſition he had made [22].

[21] Somner on Gavelkind, p. 109. Smith de Republic. l. 3. c. 10.
[22] Coke on Lit. p. 1, 2. ad Sect. 1. Craig de Feudis, l. 1. c. 7.

William

William I. made very liberal grants of land to his barons.

William I. in the diſtribution of the territory of England, was not unmindful of the intereſts of the crown; but retained in his own poſſeſſion no fewer than 1422 manors, beſides a great number of foreſts, parks, chaces, farms, and houſes, in all parts of the kingdom [23]. As the hopes of obtaining ſplendid eſtabliſhments for themſelves and followers had engaged many powerful barons, and even ſome ſovereign princes, to embark with him in his dangerous expedition, he was induced, both by the dictates of honour and prudence, to gratify their expectations by very liberal grants of lands. To Hugh de Abrencis, his ſiſter's ſon, he granted the whole county of Cheſter;—to Robert earl of Mortaigne, and Odo biſhop of Bayeux, his two uterine brothers, he gave, to the former 973 manors, to the latter 439;—to Allen earl of Britanny 442,—to William de Warrenne 298,—to Geoffrey biſhop of Coutance 280,—to Roger Bigod 123,—to Walter Giffard 107,—to Richard de Clare 171,—to William de Percy 119,—and to all his other chieftains according to the different degrees of their power, their ſervices, and their favour [24].

Obligations annexed to theſe grants.

None of the grants of land made by William I. were unconditional, but to all of them a great variety of obligations were annexed. Theſe obligations were of two kinds, viz. 1. Services, which contributed to the ſplendour of the ſove-

23 Doomſday-book paſſim.

24 Id. ibid. Dugdale's Baronage, vol. 1. p. 60—269.

reign,

reign, and ſecurity of the kingdom; 2. Preſtations of various kinds, which conſtituted a conſiderable part of the royal revenue.

Military ſervices, &c.

1. The ſervices which contributed to the ſplendour of the ſovereign, and ſecurity of the kingdom, to be performed by the immediate vaſſals of the crown, were chiefly theſe three: 1. Homage and fealty. 2. Perſonal attendance upon the king in his court at the three great feſtivals of Chriſtmas, Eaſter, and Whitſuntide, and in his parliament, at other times, when regularly called. 3. Military ſervices in the field, or in the defence of caſtles for a certain time, with a certain number of men, according to the extent of their eſtates. By theſe three things the ſovereign of a feudal kingdom was ſecured, as far as human policy could ſecure him,—in a ſplendid court for his honour,—a numerous council for giving him advice in the arduous affairs of government,—and a powerful army for the defence of his perſon and dominions.

Pecuniary preſtations.

2. The payments or preſtations to which the immediate vaſſals of the crown were ſubjected, and which conſtituted a conſiderable part of the royal revenue, were chiefly theſe ſix: 1. Reſerved rents. 2. Wardſhips. 3. On marriages. 4. Reliefs. 5. Scutages. 6. Aids. It is neceſſary to give a very brief delineation of each of the above ſervices and preſtations.

Homage.

The ſovereign of a feudal kingdom never appeared in greater glory than when he received the

the homage of his immediate vaſſals, in his great court of parliament. Seated upon his throne, in his royal robes, with his crown on his head, and ſurrounded by his ſpiritual and temporal nobles, he beheld his greateſt prelates and moſt powerful barons, uncovered and unarmed, on their knees before him. In that humble poſture they put both their hands between his, and ſolemnly promiſed, "to be his liege-men of life "and limb and worldly worſhip, to bear faith "and troth to him, to live and die with him "againſt all manner of men [25]."

Perſonal attendance in the king's court.

2. The courts of the Anglo-Norman kings were at all times very ſplendid, but more eſpecially at the three great feſtivals of Chriſtmas, Eaſter, and Whitſuntide, when all the prelates, earls, and barons of the kingdom were, by their tenures, obliged to attend their ſovereign, to aſſiſt in the celebration of theſe feſtivals,—in the adminiſtration of juſtice,—and in deliberating on the great affairs of the kingdom. On theſe occaſions the king wore his crown, and feaſted his nobles in the great hall of his palace, and made them preſents of robes, &c. as marks of his royal favour; after which they proceeded to buſineſs, which conſiſted partly in determining important cauſes, and partly in deliberating on public affairs [26].

[25] Spelman, Du Cange, in voc. *Homagium*, *Ligium*. Littleton. ſect. 85. Bracton, l. 2. c. 35. Glanville, l. 9. c. 1. Fleta, l. 3, c. 16.

[26] Du Cange, voc. *Curia*. Craig de Feudis, l. 2. c. 11.

3. Mili-

Military ſervice.

3. Military ſervice was the greateſt and moſt important obligation annexed to the grants of lands made by William I. and other feudal ſovereigns, whoſe chief intention was, in making theſe grants, to ſecure a ſufficient body of troops under proper leaders, well armed, and always ready to take the field, for the defence of the kingdom, and the proſecution of ſuch wars as were thought neceſſary for the honour of the prince and the proſperity of the ſtate [27]. Theſe lands, ſo granted, may very well be conſidered as the daily pay of a certain number of troops which the perſons to whom they were granted were obliged to keep in conſtant readineſs for ſervice; and therefore the number of knights fees or ſtipends which every ſtate comprehended was carefully aſcertained. To add ſtill further to the ſtrength and ſecurity of the kingdom, William I. ſubjected the lands of ſpiritual barons as archbiſhops, biſhops, abbots, and priors, to the ſame military ſervices with the lands of temporal barons and knights [28]. From the famous ſurvey of England, made by the direction of this great prince, and recorded in Doomſday book, it was found, that the whole kingdom contained 60,215 knights fees, of which no fewer than 28,115 belonged to the church [29].

It is now time to take a very ſhort view of thoſe preſtations to which the immediate vaſſals

[27] Coke Inſtit. 4. p. 192. [28] M. Paris, p. 5. col. 1. ann. 1070.
[29] Spelman. Gloſſ. voc. *Feodum.* Diſſertat. de Militi, p. 184. Craig de Feudis, l. 2. c. 11.

of

of the crown of England were at this time ſubjected, and which conſtituted a conſiderable part of the royal revenue.

Reſerved Rents.

1. Though William I. and other feudal ſovereigns, made large grants of lands to their nobility, clergy, and other vaſſals, they did not relinquiſh all connection with and intereſt in theſe lands. On the contrary, they granted only the right of uſing theſe lands on certain conditions, ſtill retaining the property, or *dominium directum*, in themſelves: and to put their vaſſals conſtantly in mind of this circumſtance, they always reſerved certain annual payments (commonly very trifling), that were collected by the ſheriffs of the counties where the lands lay [30].

Wardſhip.

2. When an earl, baron, or other vaſſal of the crown, died, and left his heir under age, and conſequently incapable of performing thoſe perſonal ſervices to his ſovereign to which he was bound by his tenure, the king took poſſeſſion of his eſtate; that he might therewith ſupport the heir, and give him an education ſuitable to his quality, and at the ſame time might provide another perſon to perform his ſervices in his room. This right of being the guardians of all minors, male or female, who held their lands of the crown by military ſervices, brought conſiderable profits into the royal coffers, or enabled the

30 Madox, Hiſt. Exchеq. c. 10. Craig. de Feud. l. 1. c. 9.

prince

prince to enrich his favourites, by granting them the guardianſhip of ſome of his moſt opulent wards [31].

Marriage. 3. The king's female wards could not marry any perſon, however agreeable to themſelves and their relations, without the conſent of their royal guardian; that they might not have it in their power to beſtow an eſtate that had been derived from the crown on one who was diſagreeable to the ſovereign [32]. This was a cruel and ignominious ſervitude, by which heireſſes of the greateſt families and moſt opulent fortunes were expoſed to ſale, or obliged to purchaſe the liberty of diſpoſing of themſelves in marriage by great ſums of money, either from the king, or from ſome greedy courtier, to whom he had granted or ſold their marriage [33]. No leſs a ſum than ten thouſand marks, equal in efficacy to one hundred thouſand pounds of our money at preſent, was paid to the king for the wardſhip and marriage of a ſingle heireſs [34]. This cruel ſervitude was afterwards extended to male heirs.

Relief. 4. The king had not only the guardianſhip and marriage of the heirs of all his immediate vaſſals, but he demanded and obtained a ſum of money from them when they came of age, and were admitted to the poſſeſſion of their eſtates; and alſo from

[31] Craig de Feud. l. 2. c. 2. Spelman Reliquiæ, p. 25. Gloſſ. voc. *Warda.* Madox, Hiſt. Exchequ. c. 10. ſect. 4. Glanvil, l. 7. c. 9.

[32] Du Cange, voc. *Maritagium.* Glanvil, l. 7. c. 9.

[33] Madox, Hiſt. Exchequ. c. 10. ſect. 4. [34] Id. Ibid.

thoſe

thoſe heirs who had been of age at the death of their anceſtors. This laſt was called relief, becauſe it relieved their lands out of the hands of their ſovereign, into which they fell at the death of every poſſeſſor[35]. Reliefs were at firſt arbitrary and uncertain, and of conſequence the occaſion of much oppreſſion. They were afterwards fixed at the rate of one hundred ſhillings for a knight's fee, one hundred marks for a baron, and one hundred pounds for an earldom, which was ſuppoſed to be about the fourth part of the annual value of each[36].

5. Scutage, or ſhield-money, was another preſtation to which the military vaſſals of the crown, both of the clergy and laity, were ſubjected. It was a ſum of money paid in lieu of actual ſervice in the field, by thoſe who were not able or were not willing to perform that ſervice in perſon, or to provide another to perform it in their room. The rate of this commutation was not always the ſame, but moſt commonly it was two marks for every knight's fee, though ſometimes it was only twenty ſhillings, and at other times three marks, or two marks and a half[37]. This payment became the occaſion of much vexation to thoſe who owed military ſervice to the crown; becauſe our monarchs ſometimes engaged, or pretended to Scutage.

35 Glanvil, l. 9. c. 4.

36 Du Cange, voc. *Relevium*, Madox Hiſt. Exchequ. c. 10. ſect. 4.

37 Du Cange, voc. *Scutagium*.

engage, in expeditions into diſtant parts, or at inconvenient ſeaſons, that they might have a pretence for demanding ſcutage from their vaſſal [38].

Aids. 6. Beſides all the above payments, the immediate vaſſals of the crown, who were preſumed to be poſſeſſed of much affection and gratitude to their ſovereign for the favours they had received from him, granted, or rather complied with the demand of certain pecuniary aids, on ſome great occaſions, when he ſtood in particular need of their aſſiſtance. The occaſions on which thoſe aids were demanded and granted, were theſe three: 1. To make his eldeſt ſon a knight; 2. To marry his eldeſt daughter; 3. To ranſom his perſon when he was taken priſoner in war. The rate of theſe aids was alſo unſettled; but it ſeems to have been moſt frequently one mark, or one pound, for every knight's fee [39].

Subinfeudation. There is ſufficient evidence, that all theſe ſervices and preſtations, ſo troubleſome in themſelves, and ſo liable to be rendered oppreſſive and intolerable, were brought from Normandy, and impoſed by William I. on the leaders of his victorious army, to whom he granted great eſtates in England. But theſe were far from

38 Du Cange, voc. *Scutagium.* Madox Hiſt. Excheq. c. 16.

39 Spelman. Du Cange, Gloſſ. voc. *Auxilium.* Madox Hiſt. Exchеq. c. 15. Glanvil, l. 9. c. 8.

being

being the only perſons who felt the weight of thoſe feudal ſervitudes. For the Norman and other barons, who received extenſive tracts of land, imitated the example of their ſovereign in the diſpoſal of theſe lands. They retained part of them lying contiguous to their caſtles in their own poſſeſſion, which were called their demeſnes; and the reſt they granted to their followers, who had fought under their banners, on terms exactly ſimilar to thoſe on which they had received them from the crown. The vaſſals of every baron did him homage, with a reſervation of their homage to the king, which was ſometimes not much regarded.—They gave perſonal attendance in his court at ſtated times, or when regularly called. —They followed him into the field with a certain number of troops, according to the quantity of land they had received.—They paid him certain reſerved rents.—Their heirs were his wards when under age.—They could not marry without his conſent.—They gave him a relief when they obtained poſſeſſion of their eſtates;—and aids for making his eldeſt ſon a knight, for marrying his eldeſt daughter, and for redeeming his perſon from captivity. In a word, a feudal baron was a king in miniature, and a barony was a little kingdom. Even the vaſſals of barons ſometimes granted ſubinfeudations, but always exactly on the ſame plan. By this means all the diſtreſsful ſervitudes of the feudal ſyſtem deſcended from the ſovereign to the meaneſt poſſeſſor of land by

military tenure, becoming heavier as they deſcended lower[40].

Socmen. It is true that thoſe poſſeſſors of land who were called *ſocmen*, becauſe (as many think) they followed the ſoc or plough, were not ſubjected to ſome of the moſt vexatious of thoſe feudal ſervitudes, as perſonal attendance, wardſhip, marriage, &c. But this ſeems to have been owing to the contemptible light in which they were viewed by their ſovereign and his haughty martial barons, who would not admit them into their courts and company; and conſidered the education and marriage of their heirs as matters of ſmall importance, and unworthy of their attention. Nor were many of theſe ſocmen more free and happy than the military vaſſals of the king and barons. On the contrary, they were ſubjected to lower and more laborious ſervitudes, as furniſhing men, horſes, and carriages, on various occaſions; ploughing and ſowing the lands of their lords, &c[41]. In a word, the feudal ſyſtem of tenures eſtabliſhed by William I. in England, was productive of univerſal diſtreſs and ſervitude; from which even thoſe of the higheſt ranks were not

[40] Spelman. Du Cange, Gloſſ. voc. *Baro*, *Feodum*, *Curia*, *Homagium*, *Warda*, *Maritagium*, *Relevium*, *Uxilium*.

[41] Spelman. Du Cange, voc. *Socmannus*. The opinion of one of the moſt learned writers on the law of England,—that tenures, called *free ſoccage*, were the relics of the allodial tenures of the Anglo Saxons, is not diſputed. We have no reaſon to be ſurpriſed, that a few ſmall eſtates eſcaped the rapacity of the Normans. *Judge Blackſtone's Comment.* b. 2. c. 6, §. 81.

exempted,

exempted, though they were moſt ſeverely felt by the lower orders in the ſtate.

Introduction of the feudal ſyſtem into Scotland.

It hath been the ſubject of much diſpute, when, by whom, and in what manner, the feudal ſyſtem of government was introduced into Scotland. It would be improper to revive this unimportant controverſy, by repeating the ſentiments of different authors, and their arguments in ſupport of theſe ſentiments. Upon the whole, it ſeems to be moſt probable, that Malcolm III. ſurnamed *Canmore*, began the introduction of this ſyſtem into his dominions, in imitation of his neighbour and contemporary, William I. of England; and that his plan was proſecuted by his ſucceſſors, as opportunities offered, until it came to be univerſally eſtabliſhed [42].

The introduction of the feudal ſyſtem was productive of ſeveral other changes in police and government, particularly in courts and magiſtrates.

Nothing could be more regular, or more admirably adapted to the ſpeedy, eaſy, and effectual adminiſtration of juſtice, to perſons of all ranks, than the conſtitution of the Anglo Saxon courts [43]. But this beautiful fabric was not reſpected by the Norman conquerors. For though they did not pull it down by violence, they ſuffered it to fall into ruins by neglect, and the eſtabliſhment of other courts.

42 See Eſſays on Britiſh Antiquities, Eſſay 1., Sir David Dalrymple's Annals of Scotland, p. 30, 31, 32.

43 See vol. 3. c. 3. § 2.

Courts. In all feudal kingdoms there were three kinds of perſons that bore the chief ſway, both in peace and war, viz. barons in their baronies, earls in their counties, and kings in their kingdoms. In conſequence of this there were three kinds of courts of chief conſideration—the baron's court, —the earl's court,—and the king's court.

Baron's court. In the feudal times, every barony (as hath been already obſerved) was a little kingdom, and every baron was a petty king; the commander of all the tenants in his barony (who might not improperly be called his ſubjects) in time of war, and their judge in time of peace. In his court, which was commonly held in the great hall of his caſtle, and to which all the tenants of his barony owed ſuit and ſervice, he adminiſtered juſtice to his people, in perſon, or by his bailiff; not only compelling the payment of debts and the performance of contracts, but alſo redreſſing wrongs, and puniſhing crimes even with capital puniſhments. Archbiſhops, biſhops, abbots, and priors, who held baronies of the crown, had their courts of the ſame kind with the ſecular barons. Even the barons of barons, or thoſe who held manors by military ſervice of the king's barons, had ſimilar courts within their reſpective manors, but commonly without the privilege of pit and gallows, *i. e.* the power of inflicting capital puniſhments [44].

[44] Spelman. Du Cange, Gloſſ. voc. *Barones*, *Baronia*, *Furca*.—Regiam Majeſtatem. Glanvil.-Bracton. Fleta.

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The title of *earl* before the conqueſt, and for ſome time after, was not merely honorary, but official. There was but one earl in every county, who was properly its governor, the general of its forces in times of war, and its chief juſticiary or judge in times of peace. The court in which the earl preſided, was the county-court; and as a reward or ſalary for acting in his judicial capacity, he received the third penny of all the dues, amerciaments, and profits, ariſing in that court[45]. This in the Anglo-Saxon times, and even during ſome part of the reign of William I. was a court of great power and dignity, in which the biſhop of the dioceſe ſat with the earl, and on which all the abbots, priors, barons, knights, and freeholders of the county, were obliged to attend. In this little parliament all the controverſies ariſing in the county, the moſt important not excepted, were determined, though not always finally, becauſe there lay an appeal from its decrees to a higher court, which ſhall preſently be deſcribed. In a county-court of Kent, held in the Reign of William I. at Pinendine, there were preſent one archbiſhop, three biſhops, the earl of the county, the vice-earl or ſheriff, a great number of the king's barons, beſides a ſtill greater multitude of knights and freeholders, who in the courſe of three days adjudged ſeveral manors to belong to the archbiſhopric of Canterbury, which had been poſſeſſed for ſome time by

County Court.

[45] Selden's Titles of Honour, p. 526, &c.

Odo, biſhop of Baieux, the king's uterine brother, and by other powerful barons [46].

Separation of the eccleſiaſtical from the civil part of county-courts, which occaſioned their decline.

But the county-courts did not continue long after the conqueſt in this ſtate of power and ſplendour. For William I. about A. D. 1085, ſeparated the eccleſiaſtical from the civil part of theſe courts, prohibiting the biſhops to ſit as judges, the clergy to attend as ſuitors, and the cauſes of the church to be tried in them, but in courts of their own [47]. By this regulation, which is ſaid to have been made in a common council of the archbiſhops, biſhops, abbots, and chief men of the kingdom, the county-courts were deprived, at one blow, of their moſt venerable judges, their moſt reſpectable ſuitors, and moſt important buſineſs. Beſides this, after the departure of the biſhops and clergy, the earls diſdained to ſit as judges, and the great barons to attend as ſuitors in the county-courts; which by degrees reduced them to their preſent ſtate. But this was not the worſt effect of this moſt imprudent and pernicious regulation. For by it the kingdom was ſplit aſunder; the crown and mitre were ſet at variance, and the eccleſiaſtical courts, by putting themſelves under the immediate protection of the pope, formed the clergy into a ſeparate ſtate under a foreign ſovereign, which was productive of infinite miſchiefs and diſorders [48].

[46] Dugdale Origines Juridiciales, p. 30. Hickeſii Diſſertat. Epiſtol. p. 31, &c.

[47] Wilkin. Concilia, t. 1. p. 368, 369. Hale's Hiſtory of the Common Law, p. 102

[48] Judge Blackſtone's Comment. b. 3 c 5.

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Eccleſiaſtical courts.

The eccleſiaſtical courts, that were immediately erected in conſequence of this fatal ſtatute, were theſe three: 1. The archdeacon's court. For as the archdeacon was by that ſtatute diſcharged from ſitting as a judge with the hundredary in the hundred court, he was authoriſed to erect a court of his own, in which he took cognizance of eccleſiaſtical cauſes within his archdeaconry. 2. The biſhop's court, or conſiſtory, which received appeals from the archdeacon's court, and whoſe juriſdiction extended over the whole dioceſs. 3. The archbiſhop's court, which received appeals from the conſiſtories of the ſeveral biſhops of the province, and had juriſdiction not only over the particular dioceſs of the archbiſhop, but over all the dioceſſes in the province. From this higheſt eccleſiaſtical court appeals lay to the pope, which ſoon became very frequent, vexatious, and expenſive [49].

King's court.

As the king was the chief magiſtrate of the kingdom, and it was both his duty and prerogative to adminiſter juſtice to his ſubjects, he had a court, which was the chief court of the kingdom, in which he performed that duty and exerciſed that prerogative [50]. This ſupreme court was commonly called, *curia* or *aula regis*, becauſe it was held in the great hall of the king's palace, wherever he happened to reſide [51]. In

49 Judge Blackſtone's Comment. b. 3. c. 5.

50 Madox Hiſt. Excheq. c. 3. p. 58.

51 Bracton, l. 3. c. 7. Glanvil. de Conſuetud. Angliæ, paſſim.

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this court the king was preſumed to be always preſent, either in perſon, or by his repreſentatives, the judges of his court, to whom he committed the performance of his duty, and the exerciſe of his prerogative as the ſupreme judge in his kingdom. The judges in the king's court, as it was conſtituted by William I. and continued till near the end of this period, were,—the great officers of the crown,—the king's juſtices,—together with all the great barons of the kingdom, both temporal and ſpiritual, who were intitled to ſeats in this court [52].

Great officers of the crown.

The great officers of the crown, who were alſo the leading members of the king's court, were theſe ſeven: 1. The chief juſticiary, who was an officer of the higheſt dignity and greateſt power, the preſident of the king's court when the prince was not perſonally preſent, and regent of the kingdom when the ſovereign was beyond ſeas, which in this period very frequently happened. 2. The conſtable of England. 3. The mariſchal of England, who were both military and civil officers: when acting in their civil capacity, as members of the king's court, their juriſdiction chiefly reſpected matters of honour and of arms. 4. The high ſteward of England. 5. The great chamberlain of England. Theſe two great officers had the chief direction of all things in the king's court and palace. The four

[52] Madox Hiſt. Excheq. c. 2. c. 3. p. 64. Blackſt. Comment. b. 3. c. 4.

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laſt named offices were for the moſt part hereditary. 6. The chancellor of England, who had the cuſtody of the great ſeal, and the inſpection of all grants to which it was appended. 7. The high treaſurer, who had the chief direction of all things reſpecting the royal revenues [53].

Diviſion of the king's court.

The king's juſtices were perſons learned in the laws, who had ſeats in this ſupreme court, in order to inform the other members what the law of the land was in every caſe. This great court was divided into ſeveral chambers, and certain judges ſat in each of theſe chambers, at particular times, to take cognizance of thoſe matters with which they were beſt acquainted, and in which they were moſt intereſted. Of theſe chambers the exchequer (ſo called from a chequered cloth which covered the table) was one, in which the high treaſurer and certain barons ſat, and regulated all things reſpecting the revenues of the crown [54].

Juriſdiction and ſplendour of the king's court.

The juriſdiction of the king's court was univerſal, extending to all parts of the kingdom, and over all the ſubjects of it, till the clergy, after long and violent ſtruggles, emancipated themſelves in a great meaſure from its authority [55]. As the Normans were remarkably fond of pomp, ſome of the ſeſſions of this auguſt tribunal, particularly thoſe at the feſtivals of Chriſtmas, Eaſter, and Whitſuntide, were attended with much pa-

53 Madox Hiſt. Excheq. c. 3.

54 Dialogus de Scaccario.

55 Madox Hiſt. Excheq. c. 3.

rade

rade and ſhow. The king, on theſe occaſions, wore his crown and royal robes; the great officers of ſtate appeared with the enſigns of their reſpective offices; and all the ſpiritual and temporal barons, in their richeſt ornaments. At theſe ceremonies and magnificent meetings, the ambaſſadors of foreign princes were introduced, that they might be ſtruck with admiration at the opulence and grandeur of the king and kingdom [56]. To theſe ſtated meetings all the members of the king's court came of courſe, without any ſummons [57]. In this, and in ſeveral other reſpects, they differed from the common councils of the kingdom [58].

Parliaments.

Though the powers of this ſupreme court were great and various, they were all miniſterial and executive, and did not extend to the making new laws or impoſing new taxes. Theſe two moſt important branches of police and government belonged to another aſſembly, that was called *(commune concilium*, or *magnum concilium regni)* the common council, or great council of the kingdom; and ſometimes, though very ſeldom in this period, *(parliamentum)* parliament, from the French word *parler*, to ſpeak.

Who were the conſtituent members of the parliaments.

Who were the conſtituent members of the great councils or parliaments of this period, is a queſtion that hath been differently anſwered, and

[56] W. Malmſ. l. 3. p. 63.
[57] Eadmer, p. 15.
[58] Hen. Hunt. l. 8. p. 222.

warmly

warmly agitated [59]. Though the nature and limits of this work will not admit of a full diſcuſſion of this queſtion (at preſent of no great importance), yet a plain and ſhort expoſition of what appears to be the truth is neceſſary. That all archbiſhops, biſhops, abbots, priors, earls, and barons, who held each an entire barony immediately of the king *in capite*, were conſtituent members of theſe great councils, hath never been denied, and needs not be proved. Beſides theſe great ſpiritual and temporal barons, there were many others, who held ſmaller portions of land, as one, two, three, or four knight's fees, immediately of the king, by the ſame honourable tenure with the great barons, who were alſo members of the great councils of the kingdom, and were commonly called the leſſer barons, or free military tenants of the crown. Among many evidences that might eaſily be produced of this, the fourteenth article of the great charter of king John is one of the moſt deciſive, and ſeems to be ſufficient: "To have a common "council of the kingdom, to aſſeſs an aid other-"wiſe than in the three foreſaid caſes, or to "aſſeſs a ſcutage [60], we will cauſe to be ſum-"moned the archbiſhops, biſhops, earls, and

liaments of this period.

[59] Petyt's Rights of the Commons aſſerted. Jane Anglorum Facies nova. Dr. Brady's Tracts, &c. &c.

[60] Theſe three foreſaid caſes were, 1. To make his eldeſt ſon a knight; 2. To marry his eldeſt daughter; 3. To redeem his own perſon. In all which caſes aids were due by tenure, without an act of parliament.

"greater

" greater barons, particularly by our letters; " and beſides, we will cauſe to be ſummoned " in general by our ſheriffs and bailiffs, all " thoſe who hold of us *in capite* [61]." The leſſer barons continued to ſit perſonally in the parliaments of Scotland till A. D. 1427, when an act was made exempting them from perſonal attendance in parliament, on condition of ſending repreſentatives [62]. But beſides all theſe great and ſmall barons, who by virtue of their tenures were obliged, as well as intitled, to ſit as members in the great councils of the kingdom; our hiſtorians of this period ſometimes ſpeak of great multitudes of people, both of the clergy and laity, who were preſent in ſome of theſe councils [63]. Eadmerus, the friend and ſecretary of archbiſhop Anſelm, thus deſcribes the perſons aſſembled in a great council at Rockingham, A. D. 1095, to whom his patron made a ſpeech. " Anſelm ſpoke in this manner " to the biſhops, abbots, and princes, or prin- " cipal men, and to a numerous multitude of " monks, clerks, and laymen ſtanding by [64]."

[61] Ad habendum commune conſilium regni, de auxilio aſſidendo, aliter quam in tribus caſibus predictis, vel de ſcutagio aſſedendo, ſummoniri faciemus archiepiſcopos, epiſcopos, abbates, comites, et majores barones ſigillatim, per literas noſtras: et præterea faciemus ſummoniri in generali, per vicecomites et balivos noſtros, omnes illos qui de nobis tenent in capite. Append. N° 1.

[62] Eſſays on Britiſh Antiquities, p. 43.

[63] Spelman. Concil. l. 2. p. 33.

[64] Aſſiſtentem, monachorum, clericorum, laicorum, numeroſam multitudinem. *Eadmeri Hiſt.* p. 26.

By

By the biſhops, abbots, and princes, we are certainly to underſtand the ſpiritual and temporal barons. But who are we to underſtand by "the "numerous multitudes of monks, clerks, and "laymen ſtanding by?" Were they members of this aſſembly; or were they only ſpectators and by-ſtanders? If by the multitude of theſe clerks and laymen, the hiſtorian did not mean the leſſer barons, it is highly probable that they were only ſpectators. We are told by ſeveral contemporary hiſtorians, that the great councils of the kingdom in thoſe times were very much incommoded by crowds of ſpectators, who forced their way into their meetings. One of theſe hiſtorians thus deſcribes a great council held by king Stephen: "The king, by an edict "publiſhed through England, called the rulers "of the churches, and the chiefs of the peo-"ple, to a council at London. All theſe "coming thither, as into one receptacle, and "the pillars of the churches being ſeated, in "order, and the vulgar alſo forcing themſelves "in on all hands, confuſedly and promiſcuouſly, "as uſual, many things were uſefully propoſed, "and happily tranſacted, for the benefit of the "church and kingdom[65]." In a great council

[65] Edicto per Angliam promulgato, ſummos eccleſiarum ductores, cum primis populi, ad conſilium Londonias conſcivit. Illis quoque, quaſi in unam ſentinam, illuc confluentibus, eccleſiarumque columnis ſedendi ordine diſpoſitis, vulgo etiam confuſe et permixtim, ut ſolet, ubique ſe ingerentes, plura eccleſiæ et regno profutura fuerunt, et utiliter oſtenſa, et ſalubriter pertractata.

Geſta Stephani Regis, apud Duchine, p. 932.

held

held at Weſtminſter, May 18th, A. D. 1127, the ſpectators, who are ſaid to have been innumerable, were ſo outrageous, that they interrupted the buſineſs of the council, and prevented ſome things from being debated [66]. Upon the whole, it ſeems to be almoſt certain, that though great numbers of people of all ranks, prompted by political curioſity, or intereſted in the affairs that were to be debated, attended the great councils of the kingdom in this period, none were properly members of theſe councils but thoſe deſcribed in the great charter of king John, viz. the ſpiritual and temporal barons, who were perſonally ſummoned; and thoſe who held ſmaller parcels of land than baronies, immediately of the king, by knight's ſervice, who were ſummoned edictally by the ſheriffs of their reſpective counties.

Great power of the crown.

Beſides all the prerogatives that had been enjoyed by his predeceſſors the Anglo-Saxon and Daniſh kings of England, William I. acquired a great addition of power by the introduction of the feudal ſyſtem, which made him the territorial lord as well as ſovereign of his greateſt ſubjects. But the greatneſs of ſome of theſe ſubjects, together with their extenſive influence over their vaſſals and tenants, fortunately formed a kind of counterpoiſe to the exorbitant power of the crown, prevented it from becoming, or at leaſt from continuing arbitrary; and at length, by

[66] Spelman. Concil. l. 2. p. 35.

flow

ſlow degrees, and many ſtruggles (which form the moſt intereſting parts of our hiſtory), reduced it within proper limits. All the hiſtorians of this period are full of the moſt bitter complaints of the tyranny of William I. and of his ſon and ſucceſſor William II. repreſenting them as acting on many occaſions in the moſt deſpotic manner, with little or no regard to law, juſtice, or humanity [67]. "None of his biſhops, "abbots, or great men (ſays Eadmerus of "William I.), dared to diſobey his will on any "conſideration; but all things divine and hu-"man depended upon his nod." "Whoever "(ſays Henry of Huntingdon, ſpeaking of the "ſame prince) deſired to enjoy money, lands, "or even life itſelf, was under a neceſſity of "obeying the king's nod in all things. Alas! "how much is it to be lamented, that any man, "who is but a worm and duſt, ſhould forget "death, and arrive at ſuch a height of pride as "to trample on all the reſt of mankind [68]!" Of the ferocity and tyranny of his ſon and ſucceſſor William II. the hiſtorians of thoſe times ſpeak in ſtill ſtronger terms. "He was more "fierce (ſays one of them) than human nature "ſeemed to be capable of. By the advice of

[67] Eadmeri Hiſt. p. 6. 83. 94. M. Paris, p. 4 col. 1. M. Weſtmonſt. l. 2. p. 3. W. Malmſ. l. 3. Simon Dun. p. 206. Bromptom. 962. Ingulph. p. 516. G. Neubrigen. p. 357. Alurid. Beverlien, p. 124. Hen. Hunt. p. 213. col. 1. Anglia Sacra, l. 2. p. 413. Anglica Normanica, Camdeni, p. 32.

[68] Hen. Hunt. l. 6. p. 213. col. 1.

" the worſt men, which he always followed, he " haraſſed his neighbours with war, and his own " ſubjects with armies and taxes; and England " was ſo miſerably oppreſſed that it was brought " to the very brink of ruin [69]."

Great revenues of the crown.

The great revenues of theſe princes contributed not a little to increaſe their pride, and ſupport their power; eſpecially as theſe revenues were, for the moſt part, conſidered as their undoubted property, and did not depend on the generoſity or good-will of their ſubjects. Beſides all the revenues ariſing from the royal demeſnes, and from the rents, aids, wardſhips, marriages, and ſcutages of all the immediate vaſſals of the crown, which have been already mentioned; money flowed into the coffers of the firſt Norman kings of England, from all the following ſources, eſcheats, vacancies, tallages, taxes, tolls, cuſtoms, oblations, amerciaments, moneyage, farms of counties, cities, towns, and corporations, queen-gold, impoſitions of various kinds upon the Jews, &c. &c.

Eſcheats and forfeitures.

Eſcheats and forfeitures formed a great branch of the royal revenue in thoſe turbulent times, when civil broils were frequent, when eſtates eſcheated into the king's hands on the failure of lineal deſcendants from the perſons to whom they had been granted, and when the immediate vaſſals of the crown forfeited their lands, not only for treaſon againſt the king as ſovereign of the

[69] Hen. Hunt. l. 7. p. 217. col. 1.

ſtate,

ſtate, but for various offences againſt him as their feudal lord,—ſuch as, declining to do him homage, —to ſwear fealty,—to attend his court,—to ſerve him in the field,—for betraying his ſecrets,—abetting his enemies,—affronting his perſon,—debauching his wife, his daughters, or near relations,—and, in a word, for doing any thing that made them unworthy of being the companions of their ſuperior lord, the members of his court, and the peers of his other barons [70]. Theſe eſcheats and forfeitures formed ſo capital a part of the royal revenue, that a particular court or office, called the *eſcheatry*, was erected for the management of them [71].

Eccleſiaſtical vacancies.

When an archbiſhopric, biſhopric, abbey, or priory of royal foundation, became vacant, the temporalities were ſeized and enjoyed by the king during the vacancy. This, it is probable, was intended to correſpond to the profits ariſing from the wardſhip of the temporal barons, and in ſome reigns, when many of the richeſt ſees were kept vacant ſeveral years, it muſt have made a great addition to the revenues of the crown [72].

Tallages.

The kings of England, in this period, were not always contented with the ordinary annual rents which they received from the cities, towns, ſocmen, and tenants of their demeſnes, and of the eſcheats and forfeitures in their hands; but

[70] Lib. Feud. l. 1. tit. 21, l. 4. tit. 21. l. 39, 44, &c. Craig de Feud. l. 3. paſſim.

[71] Madox Hiſt. Exchcq. c 10. p. 20. [72] Id. ibid. p. 207, &c.

on ſome occaſions they exacted certain extraordinary payments, called *tallages*, or *cuttings*, from the French word *tailler*, to cut; becauſe by them a certain proportion of the goods of theſe cities, towns, ſocmen, and tenants, as a tenth, a fifteenth, a twentieth, or thirtieth part, was cut off and appropriated to the king's uſe [73]. As neither the frequency nor the quantity of theſe tallages were aſcertained in the former part of this period, they became the occaſion of great oppreſſion to the ſubjects, and a ſource of much treaſure to the crown [74].

Taxes. The ignominious tax called *danegild*, though the reaſon for which it had been impoſed no longer exiſted, continued to be levied through a great part of this period. It ſeems to have been a ſtated article in the annual charge againſt the ſheriffs of the ſeveral counties, who collected and paid it into the exchequer. The annual danegild for the county of Surry was £185 : 6 : 0, for Eſſex £252 : 6 : 0 [75]. Theſe appear at preſent to be trifling ſums, but they were of conſiderable value in the times we are now conſidering.

Tolls and cuſtoms. Tolls levied at bridges, and in fairs and markets, with the cuſtoms on goods exported and imported, made a part of the royal revenue, that will be more particularly deſcribed in another place [76].

[73] Du-Cange Gloſſ. voc. *Tallagium.* Madox Hiſt Excheq c. 17.
[74] Eadmeri Hiſt. p. 33. [75] Madox Hiſt. Excheq. c. 17. p. 476.
[76] See chap. 6.

Fines,

Fines, free-gifts, and oblations, formed one of the moſt abundant ſources of the riches of the kings of England in this period. It is hardly poſſible to enumerate all the various occaſions on which valuable preſents were made to theſe princes. No franchiſe or privilege of any kind could be obtained from the crown without a fine or oblation proportioned to its value. Great fines were paid by prodigious numbers of people, in order to obtain juſtice, and that they might be allowed the benefit of a legal trial; while others gave great gifts to procure the royal interpoſition for preventing law-proceedings againſt them; and not a few agreed to give one half, or a third or fourth part, of their lawful debts, to the king, that they might procure payment by his authority [77]. In a word, juſtice was openly ſold by theſe ſovereigns to their ſubjects; which made the famous article in the great charter againſt ſelling, delaying, and denying juſtice, very neceſſary. No office, either in church or ſtate, could be obtained without a bribe; and in ſome reigns, even biſhopricks were expoſed to ſale, and beſtowed on the higheſt offerers [78]. There was hardly any buſineſs ſo contemptible, or ſo diſhonourable, in which ſome of our princes in this period did not engage for money; nor did they diſdain to accept of dogs, hawks, hens, lampreys, ſhads, and ſuch paultry preſents, when they could not obtain more valuable bribes. Fines, free gifts, &c.

[77] Madox Hiſt. Exchеq. c. 12.

[78] Eadmeri Hiſt. p. 14.

For money they ſold even their love and hatred, and were pleaſed or angry, friends or enemies, as they were paid. To complete their ſhame, all theſe articles of their revenues are regularly entered in the public records, where they ſtill remain undeniable monuments of their venality [79].

Amerciaments. Amerciaments formed another very ample ſource of wealth to the kings of England in this period. Theſe were often exceſſive, and were impoſed on a thouſand different occaſions, not only for real crimes, but for trivial or imaginary offences, and on the moſt frivolous pretences. In the records of thoſe times we meet with many perſons who were ſeverely amerced for making fooliſh ſpeeches, or returning fooliſh anſwers, and even for having ſhort memories, or being ignorant of things which they could not poſſibly know [80]. On theſe accounts amerciaments were the ſources of infinite vexations to the ſubjects, as well as of great riches to the ſovereigns of England in this period. They fell heavy, not only on the common people, but upon the greateſt prelates and moſt powerful barons of the kingdom; which gave occaſion to the 27th article of the great charter, in which it is declared,—"That earls "and barons ſhall not be amerced except by "their peers, and according to the degree of their "offence [81]."

79 Madox Hiſt. Exchеq. chap. 13.
80 Id. ibid. chap. 14.
81 See Appendix, N° 1. N° 2.

Moneyage

Moneyage was a tax that had been levied in Normandy long before the conqueſt, and was levied in England by the firſt and ſecond Norman kings [82]. By it, one ſhilling was paid on every hearth once every three years, to prevail upon the king not to debaſe the coin. For theſe princes inſiſted on being paid, not only for doing good, but for not doing all the evil that was in their power. This tax was aboliſhed by the charter of liberties granted by Henry I. [83] Moneyage.

The farms of counties, and of cities, towns, and corporations, or gilds, brought very conſiderable ſums into the royal coffers in this period. The profits ariſing from law-proceedings in the county-courts, were divided between the king and the earls of the county, two-thirds belonging to the former, and one-third to the latter. The king's part of theſe profits was farmed from year to year by the ſheriffs, together with ſome other ſmall articles of revenue, for a certain ſum of money, which they paid into the exchequer. The far greateſt part of the cities and towns of England belonged to the royal demeſnes, and their inhabitants held their lands and houſes immediately of the king; who commonly granted the farm of all the rents and gilds due to him from all the citizens or burgeſſes, for their lands and houſes, to the community, or to the chief magiſtrate, in name of the community, for a Farms of counties, &c.

[82] Hale's Hiſt. Common Law, p. 116.

[83] M. Paris, p. 38. col. 2.

certain rent to be paid yearly into the exchequer. For the further encouragement of towns and cities, and for promoting commerce and arts, the monarchs of England, in this period, formed the inhabitants of theſe towns and cities, of certain profeſſions, as merchants, goldſmiths, weavers, &c. into corporations or gilds, to whom they granted various privileges, for which they paid certain ſums of money yearly into the exchequer [84].

Queen gold.

When a ſum of money was due to the king, an additional ſum was payable to the queen-conſort, called *(aurum reginæ) queen-gold.* The proportion in ſome caſes, perhaps in all, was one pound, mark, or ſhilling, on every hundred pounds, marks, or ſhillings; or, as we now expreſs it, one per cent [85].

Impoſitions on the Jews.

The Jews ſettled in England in this period were both very numerous and very wealthy; but their wealth was entirely at the mercy of the king, who ſeized any proportion of it he pleaſed at any time he thought proper. A degree of power which is ſeldom uſed with moderation, and which was much abuſed by ſome of our princes, who extorted prodigious ſums of money from the Jews, by the moſt cruel and violent methods. Of the greatneſs of theſe ſums, we may form ſome conception from the following examples. Iſaac, the Jew of Norwich, was fined

[84] Madox Hiſt. Exchequer. chap. 10. Brady of Burghs, paſſim.
[85] Dialogus de Scaccario, l. 2. c. 26.

to

to king John in the enormous ſum of ten thouſand marks (equal in value and efficacy to one hundred thouſand pounds of our money at preſent), to be paid at the rate of one mark a-day during life. A conſiderable part of this ſum was accordingly paid by Iſaac in his life-time, and the remainder by his heirs[86]. A Jew of Briſtol is ſaid to have paid an equal ſum to the ſame prince[87]. In a word, the revenues ſqueezed from the Jews on various pretences, were ſo great, that a particular exchequer, called *the exchequer of the Jews*, was eſtabliſhed for their receipt, and a number of officers appointed for their management[88].

Annual revenue.

From the above enumeration of the ſeveral ſources of the revenues of the Norman kings of England in this period, though far from being complete, it is ſufficiently evident that theſe revenues were very great. We are aſſured by an author who was born in England only nine years after the conqueſt, that thoſe of William I. amounted to the incredible ſum of £1061 : 10 : 1½ per day, which (neglecting the fraction) was equal in efficacy to £15,915 of our money per day, and to £5,808,975 per year[89]. This account, extravagant as it may appear, is not very different from that which is given by Roger Hoveden, a contemporary hiſtorian, of the revenues,

[86] Madox Hiſt. Excheq. chap. 7. p. 153, 154.
[87] M. Paris, p. 160. col. 1. [88] Id. ibid. chap. 7.
[89] Orderic. Vital. apud Ducheſn. p. 523.

of

of England in the reign of Richard I. When Hubert archbiſhop of Canterbury was about to reſign the office of high juſticiary, A. D. 1196, he proved from his books, that the revenue he had collected in England in the two preceding years, was no leſs than eleven hundred thouſand marks of ſilver[90]. A great ſum, equivalent to £ 11,000,000, at the above rate of computation, in two years, or £ 5,500,000 in one year. But though it ſhould be allowed that both theſe accounts are exaggerated, we have ſtill no reaſon to be ſurpriſed, that the kings of England in this period kept ſuch ſplendid and numerous courts—lived in ſo much affluence—entertained all their prelates and nobles at the three great feſtivals—endowed ſo many monaſteries, built ſo many ſtrong caſtles, and magnificent churches—carried on ſo many wars—and after all left ſo much money in their treaſury when they died.

Changes in the laws of England.

It is now time to take a view of ſome of the moſt important changes that were made in the laws of England, and in the forms of judicial proceedings in the reign of William I. It is indeed true, that William at his coronation took a ſolemn oath,—"To keep and eſtabliſh right "laws, and to prevent rapine and unjuſt judge-"ment[91]." But he either paid no regard to that oath, or did not think himſelf bound by it, to ſupport the laws which he found eſtabliſhed. For we have the cleareſt evidence, that he had

[90] R. Hoveden. Annal. p. 437. col. 1.

[91] Id. ibid. p. 258.

a predi-

a predilection for the laws and cuſtoms of his native country, and endeavoured to introduce them into England. This is aſſerted in the plaineſt terms by Eadmerus, a man of learning, virtue, and integrity, who flouriſhed in thoſe times. "William, having a deſire that the cuſtoms and "laws which his anceſtors, and he himſelf, had "obſerved in Normandy, ſhould be obſerved in "England, made thoſe men biſhops, abbots, "and princes (earls and barons), who would "eſteem it diſhonourable to oppoſe his laws in "any thing, and who dared not to lift up their "heads againſt him. The Engliſh (ſays In-"gulphus, who had been ſecretary to the con-"queror) were ſo much abominated, that, "whatever their merit might be, they were de-"prived of all their offices, and ſtrangers, "though of inferior abilities, were put into "their places[92]." In conſequence of this conduct, in the courſe of a few years, all the archbiſhops, biſhops, abbots, earls, and barons, together with all the judges and pleaders in all the courts of England, were Normans[93].

This naturally produced many changes, and introduced many Norman laws and cuſtoms, without particular ſtatutes for that purpoſe. One natural conſequence of this total change of judges and pleaders in the Engliſh courts, was the introduction of the Norman or French language into theſe courts, becauſe it was the only

[92] Eadmer. Hiſt. p. 6.

[93] Ingulphi Hiſt. p. 513. col. 1.

language

language the pleaders could ſpeak, or the judges underſtood [94]. The clerks and ſcribes alſo, in all theſe courts, were neceſſarily Normans; which occaſioned the diſuſe of the Saxon and the introduction of the French manner of writing. This produced various changes in the forms of legal deeds and charters, particularly in the manner of their confirmation, which, in the Anglo-Saxon times, had been by the ſubſcriptions of many witneſſes, with the ſign of the croſs prefixed to each of their names; but, in the Norman times, by ſeals impreſſed upon them, or appended to them [95]. Almoſt all the advocates, as well as the clerks, in the courts of England in this period, were clergymen, from which the clergy got the name of clerks; and the Anglo-Norman clergy were ſo generally practitioners in law, that it became a proverb,—"There is no clergyman who is not a cauſe "pleader [96]. This, however, did not contribute much to the impartial adminiſtration of juſtice; for the beſt writers of this period repreſent thoſe clerical advocates as the moſt covetous and venal of all men [97].

The judicial combat.

Fire and water ordeals had been uſed in Normandy, as well as Britain, before the conqueſt, and were therefore continued in England after

94 Ingulphi. Hiſt. p. 513. col. 1. 95 Id. ibid.

96 W. Malmſ. l. 4. p. 70. col. 1.

97 J. Sariſburienſis, p. 289. 292. Petrus Bliſenſis, Epiſt. 25 p. 45. Epiſt. 26. p. 46.

that

that event [98]. But the judicial combat, or duel, though it had been long eſtabliſhed in France and Normandy, and other countries on the continent, both by laws and cuſtom, was firſt introduced into England by the Normans [99]. This, like other ordeals, was an appeal to the judgement of God for the diſcovery of the truth or falſehood of an accuſation that was denied, or a fact that was diſputed, founded on this ſuppoſition,—*That heaven would always interpoſe, and give the victory to the champions of truth and innocence.* As the judicial combat was eſteemed the moſt honourable, it ſoon became the moſt common method, of determining all diſputes among martial knights and barons, both in criminal and civil cauſes. When the combatants were immediate vaſſals of the crown, the combat was performed with great pomp and ceremony in preſence of the king, with the conſtable and marſhal of England, who were the judges; but if the combatants were the vaſſals of a baron, the combat was performed in his preſence. If the perſon accuſed was victorious, he was acquitted of the crime of which he had been accuſed; if he was defeated, he was thereby convicted, and ſubjected to the puniſhment preſcribed by law for his offence. If he was killed, his death was conſidered both as the proof and

[98] Hoveden, Annal. p. 314. col. 1. Eadmer, p. 48.

[99] Leg. Aleman. tit. 44. Burgund. tit. 45. Baiwar, tit. 2. Couſtumiere de Normand. part. 2. c. 2. Hoveden Annal. p. 343.

puniſh-

puniſhment of his guilt. If the accuſer was vanquiſhed, he was, by the laws of ſome countries, ſubjected to the ſame puniſhment that would have fallen upon the accuſed; but in England the king had a power to mitigate or remit the puniſhment. In civil caſes the victor gained, and the vanquiſhed loſt his cauſe. Many wiſe laws were made for regulating the times and places of ſuch judicial combats, the dreſs and arms of the combatants, and every other circumſtance; which are too voluminous to be here inſerted [100]. Several kinds of perſons were by theſe laws exempted from the neceſſity of defending their innocence, or their properties, by the judicial combat; as women, prieſts, the ſick, infirm, or maimed, with young men under twenty, and old men above ſixty years of age. But all theſe perſons might, if they pleaſed, employ champions to fight in their cauſes [101]. It may not be improper, for the further illuſtration of this ſingular mode of trial, to give a very brief narration of two judicial combats that were fought in this period, one in a criminal, and the other in a civil cauſe.

Judicial combat in a criminal cauſe.

Henry de Eſſex, hereditary ſtandard-bearer of England, fled from a battle in Wales, A. D. 1158, threw from him the royal ſtandard, and cried out, with others, that the king was ſlain.

[100] See Du Cange, Gloſſ. voc. *Duellum*. Spelman, Gloſſ. voc. *Campus*. Bracton, l. 3. tract. 2. c. 21. Fleta, l. 1. c. 34, 35.

[101] Glanvill. de conſuetud. Angl. l. 14. c. 1.

Some

Some time after, he was accuſed of having done this with a treaſonable intention, by Robert de Montfort, another great baron, who offered to prove the truth of his accuſation by combat. Henry de Eſſex denied the charge, and accepted the challenge. When all preliminaries were adjuſted, this combat was accordingly fought, in the preſence of Henry II. and all his court. Eſſex was defeated, and expected to be carried out to immediate execution. But the king, who was no friend to this kind of trial, ſpared his life, and contented himſelf with confiſcating his eſtate, and making him a monk in the abbey of Reading [102].

Judicial combat in a civil cauſe.

The priority of Tinmouth, in Northumberland, was a cell of the abbey of St. Alban's. One Simon of Tinmouth claimed a right to two corrodies, or the maintenance of two perſons in the priory, which the prior and monks denied. This cauſe was brought before the abbot of St. Albans, and his court-baron, who appointed it to be tried by combat on a certain day before him and his barons. Ralf Gubion, prior of Tinmouth, appeared at the time and place appointed, attended by his champion, one William Pegun, a man of gigantic ſtature. The combat was fought, Pegun was defeated, and the prior loſt his cauſe; at which he was ſo much chagrined, that he immediately reſigned his office [130]. This

[102] W. Neubrigen. l. 2. c. 5. J. Brompt. ad ann. 1158. p. 1048.
[103] M. Paris, vita Abbot St. Albani, p. 78. col. 2.

judicial

judicial combat is the more remarkable, that it was fought in the court of a ſpiritual baron, and that one of the parties was a prieſt.

Introduction of trials by a jury.

The trial of criminal and civil cauſes by a jury of twelve men, which makes ſo diſtinguiſhed a figure in Engliſh juriſprudence, ſeems to have been introduced in the reign of William I. and was probably one of thoſe cuſtoms which he had ſeen obſerved in his native country, and which he wiſhed to ſee obſerved in England [104]. For this cuſtom had prevailed in Scandinavia in very remote ages, was brought from thence into that part of France which was poſſeſſed by Rollo and his followers, and from them called Normandy, where it was preſerved till it was imported into England at the conqueſt [105]. This cuſtom was not eſtabliſhed at once by any poſitive ſtatute, but came into uſe by ſlow degrees, and was far from being common in the former part of this period, when almoſt all cauſes were tried by ordeals of one kind or other. But in the reign of Henry II. after a law was made allowing the defendant, in a criminal or civil proceſs, to defend his innocence, or his right, either by battle, or by a jury of twelve men, called the *grand aſſize*, this laſt method, as being the moſt rational, became more and more frequent, till at length it obtained a complete victory over the judicial combat, and every other ordeal [106].

[104] Eadmer Hiſt. p. 6.

[105] Hickeſii Diſſertat. Epiſt. p. 37.

[106] Glanvill. l. 14. c. 1.

This

This victory however was not obtained till long after the concluſion of this period.

That there was a very great ſimilarity between the laws of England and of Normandy, ſoon after the conqueſt, is undeniable, and may be ſeen by any one who will take the trouble of comparing the work of Ranulph de Glanvill, chief juſticiary to Henry II. *of the laws and cuſtoms of England*, with the grand couſtumiere of Normandy. This ſimilarity doth not ſubſiſt only in matters of eſſential juſtice, which are or ought to be the ſame in all countries; but in the rules of deſcents, the terms of limitations, the forms of writs, and many other things of an indifferent nature, which could neither have ariſen from neceſſity, nor have fallen out by accident [107]. The only queſtion is, how this ſimilarity was produced; whether by the exportation of the Engliſh laws into Normandy, or the importation of the Norman laws into England? Something of both theſe might have happened in the courſe of time; but in the reign of William I. it is evident, both from the nature of things, and the teſtimony of hiſtorians, that the current of the exchange of laws and cuſtoms run ſtrong from Normandy into England [108]. Similarity of the laws of England and Normandy.

But notwithſtanding all the changes that were made in the ancient conſtitution, government, and laws of England by the conqueſt, it muſt The antient conſtitution and laws of England

[107] Hale's Hiſt. of the Common Law, p. 220, &c.
[108] Eadmeri Hiſt. p. 6.

not quite deſtroyed by the conqueſt.

not be imagined that they were quite deſtroyed. This was very far from being the caſe. Many of them were preſerved, and even adopted, by the conquerors. Roger Hoveden, and ſeveral other hiſtorians after him, tell a very formal ſtory on this ſubject [109]: That in the fourth year of his reign, William the Conqueror, by the advice of his barons, ſummoned twelve of the moſt noble and learned of the Engliſh out of every county, and that when they were aſſembled, he commanded them to make a collection of the ancient laws of their country. That they accordingly performed this, and collected the following laws, which William commanded to be obſerved. They then ſubjoin a copy of theſe laws. But, to ſay nothing of the great improbability that Norman barons would make ſuch a propoſal in favour of the Engliſh and their laws, there is a paſſage in one of theſe laws themſelves, which demonſtrates that this ſtory cannot be true; for in the eleventh of theſe laws, concerning the tax called danegeld, there is this paſſage: "That this tax had never been levied "on the lands of the church till the reign of "William the younger, called William Ru-"fus [110]. Now it is perfectly impoſſible, that a tranſaction which happened in the reign of William Rufus, could be mentioned in a collection of laws made in the fourth year of his

[109] R. Hoveden. Annal. p. 343. Chron. Eccleſ. Lichfiden. apud Selden. Spicileg. in Eadmer. p. 171. Hen. Knyght. col. 2355.

[110] Ingulphi Hiſt. ad fin.

father's

father's reign. But though this ſtory cannot be true, as it is related by theſe writers, it is highly probable, or rather certain, that William I. in ſome period of his reign, gave his ſanction to a ſyſtem of ancient Engliſh laws, with ſome additions and alterations of his own. For we are told by Ingulphus, a writer of undoubted credit, who was an intimate friend and favourite of the Conqueror, "I brought with me, at the ſame "time (A. D. 1081) from London to my mo-"naſtery, certain laws of the moſt righteous "king Edward, which my illuſtrious lord king "William had promulgated as authentic and "perpetual, and to be inviolably obſerved "through the whole kingdom of England, "under the ſevereſt penalties[111]." Theſe laws are publiſhed by the learned Mr. Selden, in his notes on Eadmerus, from an ancient tranſcript of the original, which, he ſays, was ſtill preſerved at Croiland in Lincolnſhire[112]. Theſe laws are written in the French or Norman language of the eleventh century; and conſequently are very obſcure, and in ſome places hardly intelligible. They are all of a penal nature, fifty in number, and are evidently a compilation from ſeveral ſyſtems of Anglo-Saxon laws[113]. In another ſyſtem of laws publiſhed by the Conqueror, there is one commanding all the laws of Edward the Confeſſor to be obſerved, with the additions that he had made to them, for the be-

[111] Eadmer, p. 172. [112] Id. ibid.
[113] Id. p. 173—189.

nefit of the Engliſh "[114]. This probably refers to thoſe laws which Ingulphus brought with him from London.

Great attachment of the Engliſh to their ancient laws.

The great veneration that William I. profeſſed to entertain for the memory of Edward the Confeſſor, from whoſe laſt will he pretended to derive a title to the crown, might contribute ſomething to preſerve ſome of the ancient Engliſh laws and cuſtoms. But their preſervation was chiefly owing to the invincible attachment of the native Engliſh to their ancient laws. This was ſo great, that they ſeem to have been written on their hearts, and they never ceaſed to cry for their reſtoration. On ſome occaſions, when their aſſiſtance was wanted, their cries were heard; and from time to time, many of thoſe liberties which had been torn from them by the hand of violence, were reſtored. This will appear in part in the ſubſequent ſection of this chapter, but more fully in the following volumes of this work.

Great conformity of the laws of England and Scotland in this period.

It is unneceſſary to ſpend any time in delineating the conſtitution, government, and laws of Scotland, in this period, as they ſeem to have been the ſame with thoſe of England above deſcribed "[115]. This we learn by comparing the treatiſe of Glanvill with the moſt ancient collection of the Scotch law, called *regiam majeſtatem*. From thence it plainly appears, that

[114] Eadmer. p. 192.

[115] Hale's Hiſt. of the Common Law, c. 10. p. 189—195.

the

the laws of the two Britiſh kingdoms were then the ſame in many particulars, in which they are now different, though under the ſame ſovereign, and forming one kingdom. Of this remarkable circumſtance it may not be improper to give a few examples. By the ancient law of England, the ſubſequent marriage of the parents did not legitimate the children of the ſame parents born before that marriage; which ſtill continues to be the law of that country [116]. This was alſo the law of Scotland in the period we are now conſidering [117]; but the contrary rule of the civil and canon law hath been long ſince adopted in North Britain. The trial of civil cauſes by a jury of twelve men, was known in England in this period, and is ſtill conſidered as one of the moſt excellent properties of Engliſh juriſprudence, and moſt valuable privileges of Engliſh ſubjects [118]. Juries of twelve men were alſo uſed in Scotland, in thoſe ancient times, in civil as well as criminal cauſes, as appears from the authorities quoted below, and examples recorded in hiſtory [119]. But it is well known, that the uſe of juries in civil cauſes, except in the court of exchequer, hath been long ſince diſcontinued in Scotland. Several things no doubt contributed to this remarkable uniformity between the laws of the two Britiſh kingdoms in thoſe ancient

[116] Glanvill, l. 7. c. 1[illegible] [117] Regiam Majeſtatem, l. 2. c. 19. 51.
[118] Glanvill, l. 1. c. 14. l. 2. c. 13. 16. 18, 19. l. 7. c. 12, &c. &c.
[119] Regiam Majeſtatem, l. 1. c. 12, 13, 14. l. 2. 19. 32. 43. Chron. Mailroſs, p. 176.

times, but one of the chief cauſes of it ſeems to have been;—that the kings of Scotland were feudatories to the kings of England for the lands they held of them in that kingdom. This obliged thoſe princes to be often preſent in the courts and parliaments of England, where they became acquainted with, and contracted a fondneſs for Engliſh laws and cuſtoms, which they introduced into their own dominions.

SECTION II.

Hiſtory of the changes in the Conſtitution, Government, and Laws of England, in the reigns of William II. *Henry* I. *Stephen, Henry* II. *Richard* I. *and John, from* A. D. 1087, *to* A. D. 1216.

AS the moſt important changes in the Engliſh conſtitution were made, either in the reign of William I. by the eſtabliſhment of the feudal ſyſtem; or in the reign of John, by the limitation and mitigation of the ſeverities of that ſyſtem, it will not be neceſſary to dwell long on the five intermediate reigns.

Succeſſion to the crown of England unſettled.

The ſucceſſion to the crown of England, after the death of Edward the Confeſſor, became ſo unſettled, that it ſeemed to be ſet up as an object of ambition to every bold invader, who had but a ſlight pretence, together with power and courage, to ſeize the glittering prize. To ſay nothing

nothing of Harold and the Conqueror, the three ſucceſſors of this laſt, William, Henry, and Stephen, are eſteemed by many no better than uſurpers, and moſt certainly reigned with a diſputed title.

This proved a moſt fortunate circumſtance to the native Engliſh, and to their poſterity, as it contributed not a little to raiſe them from that inſignificancy into which they had been depreſſed. It even contributed to the preſervation of what was left, and to the reſtoration of what had been loſt, of their ancient liberties. For the Norman barons having eſtates both in Normandy and England, naturally deſired to ſee the ducal and royal crown on the ſame head, that they might enjoy their eſtates in both countries. Many of theſe barons therefore favoured and were ready to ſupport the pretenſions of Robert duke of Normandy, eldeſt ſon of William I. to the crown of England, firſt againſt his younger brother William, and afterwards againſt his youngeſt brother Henry. This obliged both theſe princes to have recourſe to the native Engliſh, who were ſtill formidable by their numbers, after all the loſſes they had ſuſtained. "William Rufus (ſays a contemporary hiſtorian) "ſeeing almoſt all the Normans in England "conſpiring againſt him, invited, by letters, "the braveſt and moſt reſpectable among the "Engliſh who were yet remaining, to come to "him; and complaining to them of the diſ- "loyalty of the Normans, he prevailed upon

This circumſtance advantageous to the ancient Engliſh.

"them to engage in his quarrel, by promiſing "them good laws, an abatement of taxes, and "the liberty of hunting.—He called them his "dear Engliſh, exhorted them to collect their "countrymen, under the penalty, that every "one who did not come, ſhould be called a "*Nidering*, a name which he knew none of "them could endure. In conſequence of this, "ſuch multitudes of the Engliſh crowded to "the king, that he ſoon formed an invincible "army[1]." It is very true, that as ſoon as the ſtorm was blown over, William violated all his promiſes, and proved a greater tyrant and oppreſſor than his father[2]. But ſtill this tranſaction was of ſome uſe, as it raiſed the Engliſh from their neglected ſtate, and taught them their own importance.

Charter of Henry I.

As the title of Henry I. was liable to the ſame objection with that of his brother William; ſo he was expoſed to the ſame danger, on his acceſſion to the throne, and had recourſe to the ſame expedient, with this only difference, that he put his promiſes in writing, in the form of a charter, and extended them to all his ſubjects[3]. This charter contained many mitigations of the moſt diſtreſſing articles of the feudal ſyſtem, to gain the Normans, with an expreſs reſtoration of the laws of Edward the Confeſſor, to pleaſe the Engliſh[4]. It cannot be denied, that

1 W. Malmſ. l. 4. p. 68. 2 M. Paris, p. 37. col. 2.
3 M. Paris, p. 38. Richard Hagulſtad. col. 310.
4 See Appendix, N° 1.

the

the written promiſes of Henry were ſhamefully violated as well as the verbal ones of William; but his charter being in writing, and copies of it being ſent into every county, and depoſited in every monaſtery, had greater effects, by diffuſing and cheriſhing the love of liberty, and equal laws, among the Normans, as well as Engliſh [5]. It ſerved alſo as a model, on which the great charter of liberties, in the reign of king John, was formed. Henry I. promulgated alſo a ſyſtem of laws, as he had promiſed in his charter, conſiſting of the laws of Edward the Confeſſor, with ſome alterations that had been made in them by his father the Conqueror [6].

Charter of king Stephen.

As the uſurpation of king Stephen was more unjuſtifiable in many reſpects than that of the two former kings, ſo he was more liberal of his promiſes of good laws and good government, than any of his predeceſſors. Theſe promiſes were made with great ſolemnity on the day of his coronation, and were ſoon after confirmed by a charter [7]. But the credit of royal promiſes and royal charters was now become ſo low, that the clergy, and ſome of the barons, ſwore fealty to Stephen, only as long as he kept his promiſes and obſerved his charters [8]. His conduct ſoon juſtified their ſuſpicions. By violating all his

5 M. Paris, p. 39. col. 1.
6 Lambard Archaionom. 175. Wilkin. Leges Anglo-Saxon. p. 233.
7 W. Malmſ. Hiſt. Novellæ, l. 1. p. 102. R. Hoveden. Annal. p. 276. Hen. Hunt. p. 222. col. 1.
8 W. Malmſ. ibid. p. 102. col. 1.

promiſes,

promiſes, he excited a civil war, which raged during his whole reign, and effectually prevented any amendment of the conſtitution.

Introduction of the ſtudy of the civil law.

It was in this turbulent reign that the pandects of Juſtinian were brought into England from Rome by ſome of archbiſhop Theobald's attendants; and Roger Vacarius, prior of Bec, read lectures upon them to very crowded audiences, both of the clergy and laity [9]. Great oppoſition, however, was made to the introduction of thoſe laws; and John of Saliſbury tells us, that he had ſeen ſome who were ſo much enraged againſt them, that whenever they met with a copy of the Roman law, they tore it in pieces, or threw it into the fire. King Stephen, out of hatred (as the learned Mr. Selden thinks) to archbiſhop Theobald, joined in this oppoſition, by publiſhing an edict, impoſing ſilence on Vacarius, and prohibiting any one to read the books of the civil law [10]. But this edict did not put a ſtop to the ſtudy of the civil law, as will afterwards appear.

Charter of Henry II.

Though the title of Henry II. to the crown was more clear and unexceptionable than thoſe of his three predeceſſors, he thought it prudent, on his acceſſion, to conciliate the affections of his ſubjects, by granting them a charter, confirming that of his grandfather Henry I. [11] This great prince, in the courſe of his long reign, made

9 J. Sariſburien. l. 8. c. 22. p 672.
10 Id. ibid. Selden, apud Fletam, c. 7.
11 Judge Blackſtone's Law-tracts, vol. 2. p. 11.

ſeveral

ſeveral improvements in the law, eſpecially in its forms, in the manner of its adminiſtration, and the practice of its courts. This appears very plainly from that moſt ancient treatiſe of the laws and cuſtoms of England, written by, or at leaſt publiſhed under the name of, Ranulph de Glanvill, who was chief juſticiary to this king [12]. Some of theſe improvements merit a place in hiſtory.

Amendment of the law in the reign of Henry II.

The unhappy ſeparation of the eccleſiaſtical from the civil courts made by William I. had by this time produced the moſt fatal conſequences. For the former of theſe courts had not only become terrible to perſons of all ranks, by their interdicts, excommunications, and other cenſures; but the clergy, in conſequence of this ſeparate juriſdiction, to which alone they pretended they were reſponſible, had emancipated themſelves in a great meaſure from all ſubjection to civil authority, and committed the moſt horrid crimes with impunity. Henry II. if we may believe one of the beſt of our ancient hiſtorians, was aſſured by his judges, that the clergy, in the firſt ten years of his reign, had committed no fewer than one hundred murders, beſides many thefts, robberies, rapes, and other crimes, for which they could not puniſh them [13]. To put a ſtop to thoſe intolerable evils, and reduce the clergy to the rank of ſubjects, Henry, in a great

12 R. de Glanvilla de Legibus et Conſuetud. Angliæ.

13 W. Neubrigen. l. 2, c. 16. tom. 1. p. 158.

council,

council A. D. 1164, enacted the famous conſtitutions of Clarendon [13]. Theſe were ſixteen in number; and though they cannot be inſerted here at full length, it is proper the reader ſhould be made acquainted with their ſubſtance, which is as follows:

Conſtitutions of Clarendon

1. All pleas between clergymen and laymen ſhall be tried in the king's courts. 2. Churches in the king's gift ſhall not be filled without his conſent. 3. All clergymen, when accuſed of any crime, ſhall be tried in the king's courts; and when convicted, ſhall not be protected from puniſhment by the church. 4. Clergymen ſhall not go out of the kingdom without the king's leave. 5, 6. Regulate the manner of proceedings in the eccleſiaſtical courts. 7. None of the king's miniſters or vaſſals ſhall be excommunicated without his knowledge. 8. Appeals from the archbiſhop to be made to the king. 9. Pleas between a clerk and a layman, whether an eſtate was in free-alms or a lay-fee, to be tried in the king's court by a jury. 10. One of the king's tenants might be interdicted, but not excommunicated, without the conſent of the civil judge of the place. 11. All prelates, who hold baronies of the king, ſhall perform the ſame ſervices with other barons. 12. The revenues of vacant ſees and abbeys belong to the king. The election of prelates ſhall be with the king's conſent; and they ſhall ſwear fealty, and do homage to the

[13] Gervas Chron. col. 1386, &c.

king,

king, before their conſecration. 13, 14, 15. Direct the manner of proceeding, in caſe any of the king's barons ſhall diſſeiſe any of the clergy of the lay-fees which they held under them. 16. The ſons of villains ſhall not be ordained without the leave of their maſters [15]. But the ſalutary effects of theſe conſtitutions were in a great meaſure prevented by the invincible oppoſition of Thomas Becket.

Inſtitution of juſtices itinerant.

Juſtice was not always adminiſtered in thoſe ancient times, by the barons and ſheriffs in the inferior courts, with the greateſt wiſdom and impartiality; partly owing to the ignorance of the judges, and partly to the prevalence of faction among the ſuitors in theſe courts [16]. Nor was it an eaſy matter to procure relief from an iniquitous ſentence pronounced by a baron or ſheriff, on account of the great diſtance and unſettled ſtate of the king's court, which conſtantly attended his perſon. To remedy theſe inconveniencies, Henry II. with the advice of a great council of his prelates, earls, and barons, at Northampton, A. D. 1176, divided the whole kingdom into ſix parts or circuits, and appointed three judges, learned in the law, to hold courts in each of theſe, by a commiſſion from the king, impowering them to hear and determine all cauſes not exceeding the value of one half of a knight's fee, unleſs the matter was of ſuch importance or

[15] Gervas Chron. col. 1386, &c.
[16] Hale's Hiſt. Com. Law, p. 139, &c.

difficulty

difficulty as to require the judgment of the king's court in his royal preſence [17]. Theſe juſtices itinerant took an oath, to adminiſter juſtice to all perſons with impartiality [18]. They had alſo authority to judge in all criminal cauſes and pleas of the crown, and to tranſact a variety of other affairs for the public good. A ſmall change was made in this excellent inſtitution, A. D. 1179, by dividing the kingdom into four circuits, and allowing a greater number of judges to each of theſe circuits [19]. It is eaſy to conceive how great a check the circuits of theſe judges of ſuperior rank, knowledge, and integrity, muſt have given to the wantonneſs and partiality of the inferior courts, and how great an advantage they were to the people, by bringing juſtice within their reach. It muſt, however, be confeſſed, that though the honour of bringing this wiſe inſtitution to a ſettled ſtate is due to Henry II. there is ſufficient evidence that courts were held, occaſionally at leaſt, by itinerant judges in more ancient times [20].

Henry II. a friend to trials by juries.

This wiſe prince was no friend to the ſuperſtitious modes of trial by fire and water ordeals, nor to the barbarous one by ſingle combat, eſpecially in civil cauſes. He therefore endeavoured to introduce trials by juries, or by the oaths of twelve men of the vicinage, called *the grand aſſize*, as more rational. With this view he

[17] Hoveden. Annal. p. 313.
[18] M. Paris, p. 92. col. 1.
[19] Hoveden. Annal. p. 337.
[20] Madox, Hiſt. Exchеq. p. 86, 87, 88.

made

made a law, allowing the defendant, in a plea of right, to ſupport his title, either by ſingle combat, or by a grand aſſize, "which (ſays Glanvill) "is a benefit granted to the people by the king's "clemency, upon conſultation with his nobles, "in tenderneſs of life, whereby men might "decline the doubtful ſucceſs of battle, and try "the right to their freehold in the other way[21]." This was a great improvement in Engliſh juriſprudence, and from hence we may date the more frequent uſe of juries than in former times.

Improvements of the laws by Richard I.

Though Richard I. ſpent much of his time out of the kingdom, and in the toils of war, he was not inattentive to matters of police and law. The laws which he made for the government of his fleet in his voyage to the Holy Land, are truly curious, particularly the laſt of theſe laws, which is to this purpoſe:—"If any one is convicted of "theft, let his head be ſhaved like a champion's; let melted pitch be poured upon it, "and feathers ſhaken over it, that he may be "known, and let him be ſet on ſhore at the firſt "land to which the ſhip approaches[22]." To ſay nothing of his other maritime and mercantile laws, which will be more properly conſidered in another place, he made ſome excellent regulations for eſtabliſhing an uniformity of weights and meaſures over the whole kingdom[23]:" a thing much to be deſired, but not yet accomplished.

[21] Glanvill, l. 2. c. 7.
[22] Chron. J Brompt. apud X Script. col. 1173.
[23] Hoveden. Annal. p. 441.

pliſhed. This prince gave alſo very long and particular directions to the juſtices itinerant for the regulation of their conduct on their circuits. Theſe directions were contained in two capitularies, one relating to the pleas of the crown, and the other to the affairs of the Jews, who, on account of their numbers and riches, were regarded by government with great attention [24]. Richard I. gave alſo very particular directions to the juſtices of his foreſts, who held foreſt-courts in all parts of England, at which all archbiſhops, biſhops, earls, and barons, as well as perſons of inferior rank, were obliged to attend, and anſwer to interrogatories [25]. Theſe directions, which are too long to be here inſerted, ſet the rigour of the foreſt-laws in ſo ſtrong a light, that we need not wonder the barons in the next reign inſiſted upon ſome articles being inſerted in the great charter for mitigating their ſeverity.

Meliorations of the conſtitution in the reign of king John.

Though king John was certainly one of the worſt princes that ever filled the throne of England, his reign will be for ever memorable for the melioration of the conſtitution by the great charter of liberties that was then obtained. His merit, however, in this melioration was very ſmall, as he contributed to it only by rendering himſelf odious by his vices, contemptible by his follies, and impotent by his loſſes, which both conſtrained and encouraged his ſubjects to

24 Hoveden. Annal. p. 424. 25 Id. ibid.

demand,

demand, and enabled them to obtain, by means already related, this great paladium of Engliſh liberty [26].

Magna Charta or the Great Charter.

We are indebted to the labours of a learned judge for an accurate hiſtory, and correct edition, of the great charter of king John, and of the ſimilar charters of his ſon Henry III. and grandſon Edward I. [27]. From that edition the charter, in the Appendix, N° 1. is printed; to which a plain and almoſt literal tranſlation is ſubjoined, N° 2. which may be agreeable to ſome readers.

Analyſis of that charter.

It is not the province, though it were in the power, of an hiſtorian, to give a complete commentary on this famous charter. All the purpoſes of general hiſtory, it is hoped, will be ſufficiently anſwered by a very ſhort analyſis, pointing out, in a few words, the grievances and hardſhips that were intended to be removed, with the liberties and privileges that were deſigned to be granted, by the Great Charter of king John.

Privileges granted by it, divided into four claſſes.

The privileges and liberties that were granted or confirmed to the people of England by this charter, may be divided into theſe four claſſes: 1. Thoſe that were granted to the church and clergy. 2. To the earls, barons, knights, and others, who held of the king *in capite*. 3. To cities, towns, and merchants, for the encouragement of trade. 4. To the whole body of freemen. For none of the parties concerned in this

[26] See vol. 5. p. 254.

[27] Law-tracts, vol. 2.

charter ever entertained a thought of emancipating ſlaves or villains; and therefore they are mentioned only once, and that for the benefit of their maſters.

Privileges granted to thechurch.

A. archbiſhop Langton, and ſix other biſhops, were at the head of the barons who procured this charter, we may be certain that the intereſts of the church would not be forgotten. But the power and wealth of the clergy were then ſo great, and their grievances ſo few, that they had hardly any thing to complain of or to aſk. This is no doubt the reaſon that there are ſo few articles in the charter, particularly reſpecting the church and clergy.

The famous conſtitutions of Clarendon, made by Henry II. A. D. 1164, had been the great object of the execration and horror of the popes, and of thoſe Engliſh clergy who were of their party, for half a century before the granting of the great charter. There is hardly a name in the Latin language, expreſſive of abhorrence and deteſtation, which is not beſtowed by the monkiſh writers of thoſe times on theſe hated regulations[28]. After a long and violent ſtruggle, in which archbiſhop Becket loſt his life, Henry II. had been obliged to give up the greateſt part of his favourite conſtitutions[29]. To guard againſt the reſtoration of thoſe deteſted laws, and to eradicate their remains, had been the chief con-

[28] Epiſt. S. Thomæ, p. 52. 210. 288. 450. 467. 499. 570, &c.

[29] Vita S. Thomæ, p. 143.

cern

cern of the Engliſh clergy for many years. It was evidently with this view that the ſeveral articles reſpecting the church and clergy were inſerted in the Great Charter, which ſeems to be the true key for the right underſtanding of theſe articles.

It is declared in the firſt article, "that the "Engliſh church ſhall be free, and have her "rights entire, and her liberties unhurt[30]." By the freedom here ſtipulated for the church of England, we are moſt probably to underſtand the exemption of the clergy from the juriſdiction of the civil courts, to which they had been ſubjected by the third conſtitution of Clarendon[31]. This pernicious exemption was contended for by Becket, and the great body of the clergy, as if it had conſtituted the very eſſence of Chriſtianity, on which the exiſtence of the church depended; and when they had obtained it, they defended it with equal obſtinacy. One of the rights of the church, which is particularly mentioned in this firſt article, is directly contrary to the twelfth conſtitution of Clarendon. It is the right which John had granted by a particular charter about a year before, to the monks of cathedral churches and abbeys, freely to chuſe their own biſhops and abbots[32].

The twenty-ſecond article of the charter ſeems to indicate very plainly, that the freedom granted

30 Appendix, N° 1, §.
31 Gervas Chron. col. 1386.
32 Id. col. 1383. Rymeri Fœdera, t. 1. p. 197.

to the clergy implied an exemption of their perſons as clergymen, and of their benefices belonging to the church, from civil juriſdiction. For by that article it is declared, that no clergyman ſhall be amerced according to the value of his eccleſiaſtical benefice, but according to his ſecular eſtate. A clergyman therefore, who had no ſecular eſtate, was not liable to be amerced. One reaſon of inſerting that article ſeems to have been, that ſome clergymen, who had ſecular eſtates, had been ſo unreaſonable as to plead, that theſe eſtates ſhould be exempted from civil juriſdiction, as well as their eccleſiaſtical benefices.

None of the conſtitutions of Clarendon was more diſagreeable to the pope and clergy than the fourth, which prohibited all archbiſhops, biſhops, and clerks, from going out of the kingdom without the king's leave[33]. For by this law the clergy were prevented from proſecuting their appeals and other affairs at the court of Rome, and that court was deprived of much power and riches. This reſtraint was effectually removed by the forty-ſecond article of the Great Charter, which permitted all perſons, the clergy not excepted, to go out of the kingdom and return into it when they pleaſed[34].

Privileges granted to the barons, &c. by the Great Charter.

As the earls, barons, and other military tenants of the crown, were the chief inſtruments of procuring the Great Charter; there are ſeveral

[33] Gervas Chron. 1386.

[34] Appendix, No 1, 2.

articles

articles in it particularly calculated for their relief and benefit, by mitigating ſome of the moſt oppreſſive rigours and abuſes of the feudal ſyſtem of tenures, under which they groaned. Theſe articles, though they were of great importance, will not require much illuſtration; as the remedy provided by the charter, clearly enough points out the evils intended to be remedied.

By the ſecond article of the charter, the reliefs of the heirs of earls, barons, and other military tenants of the crown, are fixed and aſcertained according to the ancient rate of reliefs [35].

By what means this ancient rate of reliefs had been laid aſide, we are not informed. But there is ſufficient evidence, that in the late reigns, as well as in that of king John, the reliefs of earls and barons had been arbitrary and uncertain. Henry I. ſays, in his charter which he granted at his acceſſion, "if any of my earls, barons, or "other vaſſals die, their heirs ſhall not be ob-"liged to redeem their land, as they were in the "time of my brother; but they ſhall be put in "poſſeſſion of it on paying a juſt and reaſonable "relief [36]." Glanvill, who flouriſhed in the reign of Henry II. acquaints us, "that the "reliefs for baronies were not fixed; but were "according to the pleaſure and mercy of the "king [37]." This was alſo the law of Scotland in this period [38]. It is eaſy to imagine how

35 Appendix, No 1, 2.
36 Appendix, No 1.
37 Glanvill, l. 9. c. 4.
38 Regiam Majeſtatem, l. 2. c. 71.

great an inſtrument of oppreſſion the uncertainty of reliefs might be in the hands of ſuch princes as William Rufus or king John, and how great an advantage it was to the military tenants of the crown to have them aſcertained.

Though the king reaped great profits from the wardſhip of the heirs of his earls, barons, and other vaſſals, when they were minors, and ought therefore to have put them in poſſeſſion of their lands when they came of age, without exacting any relief or payment of any kind, it appears to have been common to demand a fine proportioned to the value of the eſtate [39]. To correct this abuſe, it is declared (article 3.) "that when "an heir who had been a ward, comes of age, "he ſhall have his inheritance without relief or "fine."

Sometimes a king of England, in this period, appointed the ſheriff of the county, or ſome other perſon, to manage the eſtate of an earl or baron who was his ward, and to pay the profits ariſing from it into the exchequer. At other times he ſold or granted the wardſhip, with all its profits, to ſome particular perſon. In both theſe caſes, the tenants on the eſtate of the royal wards were often much oppreſſed, and the eſtates waſted, by the managers, the grantees, or purchaſers, for their own profit. The perſons who had the cuſtody of thoſe eſtates alſo permitted the caſtles, houſes, mills, parks, &c. upon them to

39 Madox Hiſt. Exchеq. ch. 13. ſect. 8. p. 333.

go to ruin, becauſe they would not be at the expence of repairs. By the fourth and fifth articles of the Great Charter, ſome partial remedies are provided againſt theſe abuſes; in which the moſt remarkable circumſtance is this, that the managers of theſe eſtates are prohibited from waſting the men, as well as the cattle, woods, and other things upon them[40]. This ſhews, that the unhappy men who were annexed to their eſtates, were viewed in the ſame light, by the mighty champions of liberty, the authors of the Great Charter, as the negroes in our plantations are viewed by their proprietors[41].

If the heirs of earls, barons, and other military tenants of the crown, were liable to great loſſes in their fortunes from their ſovereign's right of wardſhip, they were liable to ſtill greater injuries from his right of diſpoſing of them in marriage. In conſequence of this unnatural right, the heirs and heireſſes of the greateſt families and fortunes were frequently ſold or granted in marriage to perſons diſagreeable to them or unworthy of them; or were obliged to preſerve themſelves from ſo great a calamity, by paying exorbitant fines. To ſet ſome bounds to this intolerable tyranny, it was granted by the ſixth article of the Great Charter, "that heirs ſhould "not be married to their diſparagement, or "without the knowledge of their relations[42]."

[40] Append. N° 1, 2.
[41] See Obſervations upon the Statutes, p. 6.
[42] Append. N° 1, 2.

But this was evidently too general and indefinite to be an effectual remedy to ſo great an evil.

Not only heirs and heireſſes, but alſo widows, were ſubjected to great oppreſſions by the feudal ſyſtem. They were often obliged to pay heavy fines to obtain poſſeſſion of their dower, and for liberty to remain unmarried, or to marry whom they pleaſed. Thus Maud counteſs of Warwick, in the thirty-firſt year of Henry II. gave ſeven hundred marks to the king, equal in value and efficacy to ſeven thouſand pounds of our money at preſent, that ſhe might have her dower, and be at liberty to marry whom ſhe pleaſed[43]. Lucia counteſs of Cheſter paid five hundred marks to king Stephen, that ſhe might not be compelled to marry within five years[44]. King John had carried this part of feudal oppreſſion, as well as all the reſt, to a greater height than any former prince; for Alicia counteſs of Warwick paid him no leſs than one thouſand pounds, that ſhe might not be forced to marry till ſhe pleaſed[45]. The ſeventh and eighth articles of the Great Charter were intended to reſtrain theſe abuſes[46].

While the kings of England acted as if they had been the ſole judges both of the quantity of the feudal preſtations, of aids, ſcutages, and tallages, and of the frequency of exacting them, (as they often did in this period), the property

43 Madox Hiſt. Exchéq. ch. 13. ſect. 2. 44 Id. ibid.
45 Id. ibid. 46 Append. No 1, 2.

of

of their vaſſals was inſecure. For when the king could take any proportion of their goods at any time he pleaſed, they had, properly ſpeaking, nothing that they could call their own. To prevent this moſt dangerous abuſe in the ſovereign, and to prevent his granting permiſſion to inferior feudal lords to be guilty of abuſing, in the ſame manner, their power over their vaſſals, is the intention of the twelfth and fifteenth articles of the Great Charter [47]. Theſe articles however did not prevent thoſe abuſes, which were not effectually removed till long after the concluſion of this period.

So very tyrannical and encroaching had ſome of our princes been, that when the military vaſſal of an inferior lord happened to hold a ſmall piece of land of the crown by ſoccage, or burgage-tenure, they claimed the wardſhip and marriage of his heir, though they moſt evidently belonged to the lord of whom he held by military tenure. This moſt unreaſonable claim was relinquiſhed by the thirty-ſeventh article of the Great Charter.

Becauſe it would have been impoſſible to enumerate all the various unjuſt vexations to which the military vaſſals of the crown were liable, and to provide particular remedies for each of them, a general proviſion is made in the ſixteenth article,—"that no man ſhall be conſtrained "to do more ſervice for a knight's fee than what

[47] Append. No 1, 2.

"is

"is due." But this proviſion was too general to be of much uſe.

Such were the mitigations of ſome of the greateſt rigours of the feudal ſyſtem, obtained from king John, in this famous charter, by the barons; but none of them were capable of forming an idea of the perfect freedom from all the ſervilities of that ſyſtem, which their poſterity now enjoy.

One thing which ſeemed at leaſt to render the above limitations of the power of the ſovereign as a feudal lord of greater value, and more univerſal benefit, was this, that, by the ſixtieth article of this famous charter, the ſame limitations are impoſed upon all inferior feudal lords towards their vaſſals[48]. This article, which was highly reaſonable, was probably inſerted at the deſire of the king; and in the event was ſo far from extending the benefit of the limitations in the charter, that it contributed not a little to render them ineffectual. For though the great barons were very deſirous to prevent the tyrannical exerciſe of the feudal authority of the ſovereign towards themſelves; many of them were much inclined to exerciſe it in that manner towards their vaſſals, and continued to do ſo after this charter was granted. This both encouraged our kings to violate all its limitations, and furniſhed them with a ready anſwer to all the complaints of their barons. So uncertain are the effects of

[48] Append. No 1, 2.

political

political regulations, and ſo different do they ſometimes prove in fact, from what they promiſed in theory.

Privileges granted to towns, &c. by the Great Charter.

The great barons in this period had in general little knowledge of trade, and little regard for merchants: beſides, the cities and towns of England, for almoſt a century after the conqueſt, London and a few others excepted, were very inconſiderable, and many of their inhabitants were little better than ſlaves to the king, or to the barons in whoſe territories they were ſituated. But about the middle of the twelfth century they began to emerge from this obſcurity into ſome degree of conſideration Many ſmall towns were made free burghs by the royal charters of Henry II. Richard I. and king John; and had merchants, guilds, and other fraternities eſtabliſhed in them, with various privileges, which ſoon filled them with inhabitants [49]. Many of theſe free burghs favoured the cauſe of the barons. The citizens of London, in particular, embraced their party with ſo much zeal, that they gave them poſſeſſion of their city, to which they were chiefly indebted for the ſucceſs of their enterpriſe [50]. This was probably the reaſon that the privileges of cities and towns, and the intereſts of trade, were not quite neglected in the Great Charter.

It was granted by the thirteenth article of that charter, that the city of London, and all the

49 See Brady of Burghs.

50 M. Paris, p. 117. col. 1.

other

other cities, burghs, towns, and ports of the kingdom, ſhould enjoy all their liberties and free cuſtoms, both by land and water[51]. In times when law and juſtice had their regular courſe, ſuch a ſtipulation would have been thought unneceſſary. But this was far from being the caſe when fines from cities, towns, and corporations, for licence to uſe their legal rights and liberties, conſtituted a conſiderable branch of the royal revenue[52]. By the twenty-third article it is declared, that towns ſhall not be compelled to build bridges or embank rivers, except where they are obliged to it by law. It was probably at the deſire of the citizens of London that the thirty-third article was inſerted, commanding all cruves or wears (then called *keydels*) to be removed out of the rivers Thames and Medway, and other rivers; becauſe they obſtructed the navigation of theſe rivers. This appears plainly from a precept of Henry III. granted about twelve years after this, ſtrictly requiring, "that "for the common utility of the city of London, "all keydels in the rivers Thames and Medway, "and particularly thoſe near the tower of Lon- "don, be immediately removed[53]." It is alſo probable that the thirty-fifth article, commanding the London meaſures of wine, ale, and corn, with an uniformity of weights, to be obſerved over all the kingdom, was dictated by the Lon-

51 Appendix, No 1, 2. 52 Madox Hiſt. Exchcq. c. 11, 12.
53 Coke's Inſtitutes, part ſecond, p. 38.

doners,

doners. Lending money on intereſt was, in this period, called uſury, and prohibited to Chriſtians by the canons of the church, and even by the laws of the land [54]. This branch of buſineſs therefore fell entirely into the hands of the Jews, who were the only money lenders, and commonly great extortioners. It was probably at the ſuggeſtion of the Londoners, who had borrowed great ſums of the Jews, that the tenth article was inſerted in the charter, "that money owing to "Jews ſhould pay no intereſt during the mino-"rity of the debtor;" though it muſt be confeſſed that this article was equally advantageous to feudal ſuperiors who had the wardſhip of minors.

One of the greateſt obſtructions to the progreſs of commerce in this period, was an impolitic and ungenerous jealouſy of ſtrangers in general, and of foreign merchants in particular, that prevailed in England, as well as in ſeveral other countries [55]. In conſequence of this theſe merchants were ſubjected to many reſtraints and hardſhips. They were not allowed to come into the kingdom but at certain times, nor to ſtay above forty days, nor to expoſe their goods to ſale, except at certain fairs [56]. They were often obliged to pay great fines to the king for licence to trade, and much higher cuſtoms and tolls of all kinds

54 Johnſon's Canons, A. D. 785. 17. 1064. 16.
55 Obſervations on the Statutes, p. 21. Leges Walliæ, p. 330.
56 Mirror, c. 1. ſect. 3.

than

than natives[57]. Both their perſons and their goods were expoſed to great violences when a war happened to break out between England and the country to which they belonged. But about this time juſter notions of trade began to be entertained by ſome perſons, moſt probably by the chief citizens of London, and by their influence, an article (the forty-firſt) very favourable to foreign merchants both in times of peace and war, was inſerted in the Great Charter. The language of this article is ſo plain that it needs no illuſtration[58].

Privileges granted to all freemen by the Great Charter.

The great barons, who were the chief inſtruments of procuring this famous charter, may be viewed as acting in the two capacities, 1. of the military vaſſals of the crown; 2. of the ſubjects of the kingdom. They conſulted their intereſt in the firſt capacity, by the limitations of the rigours of the feudal tenures which they procured, in which all who held lands by military ſervices ſhared with them. They conſulted their intereſt in the ſecond capacity by the amendments they procured in the general police of the kingdom, in which all their fellow ſubjects, who were freemen, were partakers. Theſe amendments were numerous and important, tending to remove or alleviate the ſeveral grievances of which the people in general complained.

[57] Madox Hiſt. Exchеq. chap. 13. ſect. 3. p. 323.

[58] See Append. N° 1, 2.

The

The greateſt of all the grievances of which the people of England complained in this period, was,—That the mere will and arbitrary commands of the ſovereign were ſubſtituted in the place of law, and men were ſeiſed, impriſoned, ſtripped of their eſtates, outlawed, baniſhed, and even deſtroyed, without any trial. That this complaint was not without foundation, might be proved by giving examples of every one of theſe tyrannical acts; but it will certainly be ſufficient to give one example in which they are all included, and that taken from the hiſtory of the beſt prince who reigned in this period. Henry II. was ſo much enraged againſt Thomas Becket archbiſhop of Canterbury for his oppoſition to the conſtitutions of Clarendon, and his flight out of the kingdom, that he apprehended all his relations, friends, and dependants, to the number of four hundred perſons, men, women, and children, confiſcated all their eſtates and goods, and baniſhed them out of the kingdom in the middle of winter, A. D. 1165, obliging all the adults among them to take an oath at their departure, that they would go to Sens, and preſent themſelves to the archbiſhop[59]. All this was done, not only without any trial, but even without any ſuſpicion or poſſibility of guilt, as many of the ſufferers were infants, by the mere arbitrary command of the king, in order to diſtreſs

59 Vita S. Thomæ, l. 2. c. 14. p. 82. Epiſtolæ S. Thomæ, l. 1. Ep. 42. l. 3. Ep. 79.

the

the archbiſhop by the ſight of ſo many perſons connected with him by the ties of blood or friendſhip, ruined on his account, and to oppreſs him with the charge of their ſupport. To put a ſtop to ſuch outrageous exertions of arbitrary power, the following conceſſion was made by king John in the thirty-ninth article of his charter: "No freeman ſhall be apprehended, "or impriſoned, or diſſeiſed, or outlawed, or "baniſhed, or any other way deſtroyed, nor "will we go upon him, nor will we ſend upon "him, except by the legal judgment of his "peers, or by the law of the land[60]:"—the moſt valuable ſtipulation in the whole charter, and the grand ſecurity of the liberties, perſons, and properties of the people of England, which cannot be unjuſtly invaded if this law is not violated. The expreſſions,—we will not go upon him,—we will not ſend upon him,—ſignify, that the king would not ſit in judgment, or pronounce ſentence, on any freeman, either in perſon, or by his judges, except by the verdict of a jury, or by a proceſs conducted according to the eſtabliſhed laws of the land. By this laſt expreſſion, trials by ordeals, by judicial combats, and by compurgators, are probably intended, as theſe were all in uſe at this time, and agreeable to law.

Next to the ſubſtitution of arbitrary will in the place of law, the king's perſonal interfering

[60] Append. N° 1, 2.

in law-ſuits depending before his courts, in order to interrupt or pervert the regular courſe of juſtice, was one of the greateſt grievances of this period. This was done in ſo public and ſhameleſs a manner, that the bribes received by our kings for theſe iniquitous practices, were regularly entered in the revenue-rolls of every year, and amounted to great ſums[61]. To put a ſtop to this great abuſe, it is promiſed by king John, in the fortieth article of his charter,—"To no man will we ſell, "to no man will we deny or delay right and "juſtice[62]."

The people of England alſo complained, that too many of the judges had neither a competent knowledge of the law, nor a due regard to juſtice. To remove the ground of theſe complaints, king John engaged, in article forty-fifth, "We will not make juſticiaries, conſtables "of caſtles, ſheriffs, or bailiffs, unleſs of ſuch "as know the law of the kingdom, and are well "inclined to obſerve it[63]." Still further to ſecure the lives of the ſubjects from being endangered by the ignorance or iniquity of inferior judges, it is provided by article twenty-fourth, "That no ſheriff, conſtable of a caſtle, co-"roner, or bailiff, ſhall hold pleas of the crown," i. e. try capital crimes, or inflict capital puniſhments.

[61] Madox Hiſt. Exchеq. chap. 12. [62] Append. No 1, 2.
[63] Id. ibid.

The ambulatory unſettled ſtate of the king's court, which conſtantly attended the royal perſon, was a great obſtruction to the regular adminiſtration of juſtice, and made a reviſal of the proceedings of inferior courts very hard to be obtained. To remove this inconveniency, it is declared by article ſeventeenth,—"Common "pleas ſhall not follow our court, but be held "in ſome certain place[64]." Amerciaments for trivial offences, or exorbitant and ruinous ones for real delinquencies, were among the greateſt grievances of the people of England in this period. The cauſes for which amerciaments were impoſed, were almoſt innumerable; and as the rates of them were unſettled, and they brought much money into the royal coffers, they were frequently exceſſive[65]. This was ſo much the caſe, that thoſe who were amerced, were ſaid to be *in miſericordia regis*, or at the king's mercy. To ſet ſome bounds to theſe oppreſſions, was the intention of the twentieth, twenty-firſt, and twenty-ſecond articles of the Great Charter; by which it is declared, that earls and barons ſhall not be amerced, except by their peers, and that according to the degree of their delinquency; that no freeholder or freeman ſhall be heavily amerced for a ſlight default, nor above meaſure even for a great miſdemeanor; ſtill ſaving to a freeholder his freehold, to a merchant his mer-

[64] Append. No. 1, 2. [65] See Madox Hiſt Excheq. chap. 14.

chandiſe,

chandiſe, and to a ruſtic his implements of huſbandry [66]. The ſavings to theſe different kinds of perſons are called in the charter their *contenement*; which ſignifies ſuch a reſervation of their eſtate and goods, as enabled them to keep their countenance, to live in their former ranks, and purſue their former buſineſs [67]. Thus alſo his arms were the contenement of a ſoldier, his books of a ſcholar, and, by the laws of Wales, his harp made a part of the contenement of a gentleman [68].

The prerogative of pre-emption of all things neceſſary for their court and caſtles, commonly called *purveyance*, which belonged to the kings of England in this period, was a ſource of infinite vexations and injuries to their people. This was ſometimes owing to the avarice, and ſometimes to the official inſolence and cruelty, of the purveyors, who attended the court in all its motions. The miſeries inflicted on the country by theſe petty tyrants in the reign of William Rufus, are thus pathetically deſcribed by a writer of undoubted credit, who flouriſhed in thoſe times, and beheld the ſcenes he repreſents: "Thoſe who attended the court, plundered and "deſtroyed the whole country through which "the king paſſed, without any controul. Some "of them were ſo intoxicated with malice, that "when they could not conſume all the provi-

66 See Appendix, No. 1, 2.
67 Obſervations on the Statutes, p. 10.
68 Glanvill, l. 9. c. 8. Bracton, l. 3. Tract. 2. c. 2.

" ſions in the houſes which they invaded, they " either ſold or burnt them. After having " waſhed their horſes feet with the liquors they " could not drink, they let them run out on the " ground, or deſtroyed them in ſome other way. " But the cruelties they committed on the maſ- " ters of families, and the indecencies they of- " fered to their wives and daughters, were too " ſhocking to be deſcribed [69]." Under better princes theſe enormities were, no doubt, in ſome degree reſtrained; but we can hardly ſuppoſe that the courtiers and purveyors of king John were much more modeſt than thoſe of William Rufus. To prevent in ſome meaſure thoſe intolerable oppreſſions, is the deſign of the twenty-eighth, the thirtieth, and thirty-firſt articles of the Great Charter [70].

The fondneſs, or rather rage, of our ancient kings, for hunting, was productive of many miſchiefs to their ſubjects. Great tracts of country, in almoſt every county of England, were deſolated, and converted into foreſts, for their game; and theſe foreſts, with the game contained in them, were guarded by the moſt cruel and ſanguinary laws [71]. For it was a received doctrine in this period, before the Great Charter was granted, that the king might make what laws he pleaſed for the protection of his foreſts; and that in making and executing theſe laws, he was

[69] Eadmer. Hiſt. Novorum, l. 4. p. 94. [70] Appendix, No. 1, 2.
[71] W. Malmſ. l. 3. p. 63. Hen. Knyghton, apud X Script. col. 2354.

not

not under any obligation to obſerve the ordinary rules of juſtice [72]. In conſequence of this doctrine, the foreſt-laws were dictated by ſuch a ſpirit of cruelty, and executed with ſuch ſeverity, that they were great objects of terror, and ſources of diſtreſs to thoſe who were ſo unhappy as to live near the precincts of any royal foreſts. To mitigate in ſome degree the cruelty of theſe foreſt-laws, and the ſeverity with which they were executed, was the intention of the forty-fourth, forty-ſeventh, and forty-eighth articles of the Great Charter of King John [73]. Theſe articles, however, were ſoon found to be inſufficient to anſwer the ends for which they were intended; and therefore the barons, in the ninth year of the next reign, obtained a ſeparate charter, called *carta de foreſta*, or, *the charter of the foreſts*, containing more preciſe and particular regulations [74].

The Great Charter of king John contains ſeveral other articles, beſides thoſe on which obſervations have been made above; but theſe are either of a temporary or private nature; or relate to law-writs, and forms, long ago obſolete; or are of little importance, or ſo plain that they need no illuſtration.

Securities for the execution of the Great Charter.

The barons who procured this famous charter, were not ignorant, that the king had granted it with the moſt extreme reluctance; and therefore they took every precaution they could invent to render it effectual, and to ſecure the rights and

72 Dialogus de Scaccario, l. 1. c. 11.
73 Appendix, No. 1, 2.
74 See Law-tracts, vol. 2. p. 93.

liberties they had obtained. The great ſeal was not only appended to it in due form, but both the king and the barons took a ſolemn oath, to obſerve it in all particulars with good faith, and without any diſſimulation. Not contented with this, they obtained authority to elect twenty-five barons to be the conſervators of the charter, with power to compel the king, and his miniſters, to fulfil all the articles of it, and immediately to redreſs every violation. To put it out of the king's power to break through his engagements, and to enable the conſervators effectually to ſupport the charter, all the king's foreign auxiliaries, which were at this time almoſt his only ſtrength, were immediately ſent out of the kingdom, and the tower of London was delivered to the conſervators [75].

Theſe ſecurities ineffectual.

It will appear, however, in the third chapter of the eighth volume of this work, that all theſe precautions were ineffectual; and that it was not till after a very long and bloody ſtruggle that the people of England obtained the peaceable enjoyment of the rights and liberties contained in the Great Charter of king John, and in the ſimilar charters of his ſucceſſors. With ſo much difficulty, by ſuch ſlow degrees, and at ſo great an expence of blood and treaſure, was the venerable fabric of the Britiſh conſtitution erected. *Eſto perpetua.* May it remain for ever, the pride and felicity of thoſe who enjoy its bleſſings, the envy and admiration of ſurrounding nations.

[75] Law tracts, vol. 2. p. 39.

THE

HISTORY

OF

GREAT BRITAIN.

BOOK III.

CHAP. IV.

The Hiſtory of Learning in Great Britain, from the landing of William duke of Normandy, A. D. 1066, to the death of king John, A. D. 1216.

NATIONS are liable to various revolutions in the ſtate of their minds, and extent of their knowledge, as well as in their power and wealth, and other external circumſtances. The ſame people, who, in one period, are groſsly ignorant, and even regard all literary purſuits with ſupreme contempt, in another period become ingenious and inquiſitive, and apply to the cultivation of the ſciences with the greateſt ardour. This is a revolution more to their honour than the greateſt victories, and therefore certainly merits

Nations liable to changes in their intellectual attainments.

merits a place in hiſtory. We have ſeen the inhabitants of Britain involved in that profound darkneſs which covered the face of Europe, and almoſt of the whole world, for ſeveral ages after the fall of the weſtern empire. We ſhall now ſee the day of ſcience beginning to dawn upon them; faintly indeed at firſt, and liable now and then to be overcaſt, but never quite extinguiſhed.

Plan of this chapter.

As the period we are now conſidering is not near ſo long as any of the two former periods, it will not be neceſſary to divide it into centuries, but only to give a brief account. 1. Of the ſeveral ſciences that were cultivated—the improvements that were made in them—and the reaſons of theſe impovements; 2. Of the moſt conſiderable men of learning who flouriſhed: 3. Of the chief ſeminaries of learning that were founded, or improved, in the courſe of this period.

SECTION I.

An account of the Sciences that were cultivated in Great Britain, from A. D. 1066, *to* A. D. 1216 *—of the improvements that were made in them—and of the reaſons of theſe improvements.*

The ſciences that were cultivated.

THOUGH the ancient diviſion of the ſciences into the *trivium* and *quadrivium*, is frequently mentioned by the writers of the twelfth century, it doth not ſeem to have been ſtrictly

ſtrictly adhered to in the ſchools[1]. For there is ſufficient evidence, that all the following parts of learning were cultivated, in ſome degree, in Britain, in this period, viz. Grammar, rhetoric, logic, metaphyſics, phyſics, ethics, ſcholaſtic divinity, the canon law, the civil law, the common law, arithmetic, geometry, aſtronomy, aſtrology, and medicine. Of the ſtate of all theſe branches of learning in Britain in the times we are now delineating, it is proper to take a ſhort view.

Grammar, or the ſtudy of languages, was proſecuted by many perſons, with much ardour and no little ſucceſs. The languages that were chiefly ſtudied in England in this period, were the French and Latin, the former being the language of the court, and the latter that of the church. "William the Conqueror (ſays Ingulphus, who was his friend and ſecretary) "had ſo great an abhorrence of the Engliſh "language, that he commanded all the laws "and law-proceedings to be in French; and "even the children at ſchool were taught the "firſt elements of grammar and letters in French, "and not in Engliſh[2]." All Engliſhmen therefore who wiſhed to appear at court, to converſe with the great, or to be fit for any office, were under a neceſſity of acquiring the French language. But the Latin language was ſtudied Grammar.

[1] J. Sariſburienſ. Metalog. l. 2. c. 12. p. 758.

[2] Ingulph. Hiſt. p. 513. col. 1.

with

with ſtill greater keenneſs by all who were of any learned profeſſion, or aſpired to any reputation for learning; becauſe it was not only the language of the liturgies of the church, but that in which all the ſciences were taught, all books were compoſed, all accounts were kept, all letters of buſineſs or compliment were written, in which all ſcholars daily converſed, many of the clergy preached, not only before ſynods and councils, but even to the common people[3]. Anſelm archbiſhop of Canterbury, in a letter to his nephew of the ſame name, writes to this purpoſe: "I command and charge you not to "be idle, but to proſecute daily thoſe ſtudies "for which I left you in England. In parti- "cular, ſtudy to know all the elegancies of "grammar; accuſtom yourſelf to write ſome- "thing every day, eſpecially in proſe; and la- "bour to acquire a plain and rational, rather "than an intricate way of writing. Speak al- "ways in Latin, except in caſes of abſolute ne- "ceſſity[4]." We have ſome reaſon to believe, that even the colloquial Latin of ſcholars in this period was tolerably pure and elegant. Giraldus Cambrenſis mentions it as a very uncommon thing, that an old hermit, with whom he frequently converſed, did not ſpeak Latin very correctly, but ſometimes violated the rules of

3 Girald. Cambrenſis, de Rebus a ſe geſtis. Ang. Sacr. tom. 2. p. 491. P. Bleſenſ. Opera, p. 262—400.

4 Spicilegium Acherii, tom. 9. p. 122.

grammar,

grammar [5]. Some of the learned in this period had attained a very ſurpriſing facility in ſpeaking and writing Latin. Peter of Blois, archdeacon of Bath, aſſerts, that the biſhop of Bath, to whom he writes, the archbiſhop of Canterbury, and ſeveral others, had ſeen him dictate letters in Latin, to three different ſcribes, on different ſubjects, and write a letter in the ſame language himſelf, at the ſame time [6]. It appears from the writings of ſeveral authors of the twelfth century, particularly of John of Saliſbury and Peter of Blois, that they were intimately acquainted with the Latin claſſics, as they not only quote them very frequently, and with great propriety, but alſo imitate their ſtyle and manner with conſiderable ſucceſs. Theſe writers too recommend the ſtudy of grammar with the greateſt warmth, and beſtow upon it the higheſt praiſes. "Grammar, which is the ſcience of ſpeaking "and writing well, is the firſt of all the liberal "arts and ſciences; the nurſe, if I may ſo "ſpeak, of all philoſophy, and of every literary "ſtudy. She receives them at their birth, from "the womb of nature, in a tender ſtate, che-"riſhes them in their infancy, with a mother's "care, gradually improves their ſtrength, at-"tends and adorns them in every period of their

[5] Oh! oh! noli diſcere ſcire, ſed cuſtodire: vana eſt ſcire, niſi cuſtodiri. Talis enim erat ei loquendi modus ſemper per infinitivum nec caſus ſervabat; & tamen ſatis intelligi poterat. Girald. Cambrenſ. Anglia Sacra, t. 2. p. 497.

[6] Epiſt. Pet. Bleſenſ. Ep. 92. p. 143. col. 2.

"progreſs.

" progreſs. To philoſophiſe ſucceſsfully, with-
" out grammar, is as impoſſible as without both
" eyes and ears [7]." In a word, whoever hath peruſed the works of the divines, hiſtorians, and philoſophers, who wrote in France and England in the twelfth century, will readily acknowledge the truth of the following declaration of one of the moſt learned writers of literary hiſtory: " Before we deſcend to particulars, we
" may affirm in general, that the latinity of no
" age, from the decline to the revival of learning,
" was ſo terſe and elegant as that of the twelfth
" century [8]."

The Greek and Hebrew languages were very far from being ſo much ſtudied, ſo well or ſo generally underſtood in Britain, in this period, as the Latin. But as many Jews reſided and taught in England, their ancient language could not be unknown. Plain evidences of ſome acquaintance with it, as well as with the Greek, appear in the works of Peter of Blois, John of Saliſbury, and ſeveral others [9]. But by how many and in what degree the Hebrew and Greek languages were then underſtood in Britain, we are not well informed. We meet with only two Engliſhmen in this period who were famous for their knowledge of the Arabian language. Theſe were Adelard of Bath, and Robert of Reading,

7 J. Sariſburienſ. Metalogicon, l. 1. c. 13. p. 759.
8 Bulei Hiſt. Univerſitat. Pariſienſ. tom. 2. p. 556.
9 P. Bleſenſ. Opera, p. 596, &c. J. Sariſburienſ. Metalogicon, l. 1. c. 19. p. 754.

who

who returned into England in the reign of Henry I. after they had ſpent ſeveral years in the Eaſt in learning that language, and tranſlating books out of it into Latin [10].

From the ſtudy of grammar, or the art of ſpeaking correctly, the youth of thoſe times generally proceeded to the ſtudy of rhetoric, or the art of ſpeaking eloquently. This part of learning was neglected, and even repreſented as unneceſſary and uſeleſs, by ſome philoſophers of this period, who ſpent their whole time, and employed all the powers of their minds, on the ſubtilties of Ariſtotelian logic, which was then the moſt admired and faſhionable ſtudy. "Elo- "quence," ſaid they, "is either given or denied "by nature. If it is given, all pains about it "are unneceſſary; if it is denied, all pains to "acquire it will be in vain [11]." But the neceſſity and many advantages of the ſtudy of eloquence were moſt elegantly diſplayed both in proſe and verſe, by ſeveral writers of thoſe times, particularly by John of Saliſbury and Alan de Liſle. "The gifts of nature," ſays the former, "are neceſſary; but they are not "ſufficient to make a complete orator without "art and ſtudy. There is no natural genius ſo "ſtrong, that negligence will not enfeeble; nor "ſo ſublime, that it will not depreſs. No man "ever attained the reputation of being ſuperla- Rhetoric.

[10] Martini & Durand. Theſaur. Anecdot. p. 292. Wallis Algebra, p. 5.

[11] J. Sariſburienſ. Metalogicon, l. 1. c. 7. p. 749.

"tively

"tively eloquent, even in one language, by the "mere force of natural genius, without the help "of art. For he is not to be eſteemed eloquent "who can ſpeak with tolerable eaſe and fluency, "and ſo as to be underſtood. He alone is "eloquent, who can expreſs the thoughts of his "mind, and the feelings of his heart, with ſo "much ſweetneſs, power, and energy, as not "only to convince and perſuade, but to charm "and tranſport his hearers with delight.—— "How admirable an accompliſhment is this! If "wiſdom and virtue merit the firſt place in our "eſteem, eloquence undoubtedly claims the "ſecond. How honourable is it to excel in the "powers of reaſon and perfections of ſpeech, "which are the peculiar excellencies of human "nature? How ornamental is eloquence in "youth? how venerable in old age? how profit-"able in every ſtage of life? Who attain to "fame and admiration, to riches, honours, and "preferments, to the direction of all aſſemblies, "and ſucceſs in all undertakings, with ſo much "eaſe and certainty as the eloquent [12]?" Bulæus, in his hiſtory of the univerſity of Paris, gives ſeveral examples of eloquence from the French and Engliſh writers of the twelfth century, ſome of which are truly excellent, and would do honour to any age; but they are too long to be here inſerted [13]. The verſes of Alan de Liſle,

[12] J. Sariſburienſ. Metalogicon, l. 1. c. 7 p. 749.
[13] Bulæi Hiſt. Univerſitat. Pariſienſ. tom. 2. p. 557, &c.

quoted

quoted below, will ſerve as a deſcription of the rhetoric, and as a ſpecimen of the Latin poetry of this period, and will give the candid reader no unfavourable opinion of the ſtate of theſe parts of learning [14].

From rhetoric the youth of this period proceeded to the ſtudy of logic, on which they employed much time and labour. Ingulphus acquaints us, that after he had made himſelf a perfect maſter of the firſt and ſecond book of Tully's Rhetoric, he applied to the ſtudy of Ariſtotle's Logic, and made greater proficiency in it than many of his contemporaries [15]. This is a ſufficient proof that the logic of Ariſtotle was ſtudied by many of the Engliſh youth at the very beginning of this period, and even a little before. For Ingulphus had left Oxford, and ſettled in the court of William duke of Nor-

[14] Adſunt rhetoricæ cultus, floreſque colorum,
Verba quibus ſtellata nitent, et ſermo decorem
Induit, et multa candeſcit clauſula luce.
Has ſermonis opes vultus et ſidera verbi,
Copia rhetoricæ jactat, juveniſque loquelam
Pingit, et in vario præſignit verba colore.
Succinctè docet illa loqui, ſenſuſque profundos
Sub ſermone brevi concludere, claudere multa
Sub paucis, nec diffuſo ſermone vagari.
Ut breve ſit verbum, dives ſententia, ſermo
Facundus, multo fœcundus pondere ſenſus.
Vel ſi forte fluat ſermo, ſub flumine verbi
Fluminet uberior ſententia, copia fructus
Excuſet, folii ſilvam paliaſque vagantes
Ubertas granis redimat ſenſuſque loquelam.
Alanus de Inſulis in Anticlaudian. l. 6. c. 6.

[15] Ingulph. Hiſt. p. 511. col 1.

mandy,

mandy, ſeveral years before the conqueſt [16]. The truth is, that from about the middle of the eleventh century, the philoſophy, and particularly the logic of Ariſtotle, became ſo much in vogue, both in France and England, that it was ſtudied with great ardour, not only by all men who made any pretenſions to learning, but even by ſome ladies of the higheſt rank. The ſame Ingulphus tells us, that Edgitha, the amiable conſort of Edward the confeſſor, after ſhe had examined him in Latin proſe and verſe, often proceeded to attack him with the ſubtilties of logic, in which ſhe very much excelled; and when ſhe had entangled him with her acute and artful arguments, and obtained the victory, ſhe always diſmiſſed him with a preſent of ſome pieces of money [17]. It is well known, that the fair unfortunate Heloiſa, ſo much beloved by the accompliſhed Peter Abelard, was one of the moſt acute logicians of the twelfth century [18]. The fondneſs of the learned for the Ariſtotelian logic increaſed ſo much in the courſe of this century, that many perſons ſpent their whole lives in the ſtudy of it, and it was eſteemed the moſt neceſſary and excellent of all the ſciences [19]. But very unfortunately, this admired ſcience, which had the diſcovery and eſtabliſhment of truth for its profeſſed object, ſoon degenerated into mere

16 Ingulph. Hiſt. p. 514. col. 1. 17 Id. ibid. p. 509.
18 Bulæi Hiſt. Univer. Pariſ. tom. 2. p. 42.
19 Id. ibid. p. 78, 79.

ſophiſtry

ſophiſtry, and deſerved no better name than that of the art of quibbling [20]. "I wiſh (ſays John "of Saliſbury) to behold the light of truth, "which theſe logicians ſay is only revealed to "them. I approach them, I beſeech them to "inſtruct me, that, if poſſible, I may become as "wiſe as one of them. They conſent, they pro-"miſe great things, and at firſt they command "me to obſerve a Pythagorean ſilence, that I "may be admitted into all the ſecrets of wiſdom, "which they pretend are in their poſſeſſion. "But by and by they permit, and even com-"mand me to prattle and quibble with them. "This they call diſputing, this they ſay is logic; "but I am no wiſer [21]." The truth ſeems to be, that many ſtudious men, in this period, by ſpending too much time, and employing too intenſe thought, on logical ſubtilties, run into the two extremes, of ſpeculating ſometimes on things too high and difficult, and at other times on things too low and contemptible, for human inveſtigation. That they run into the firſt of theſe extremes there is the cleareſt evidence, as we find among the ſubjects of their inveſtigations and diſputes,—of the ſubſtantial form of ſounds,—of the eſſence of univerſals, &c. &c [22]. That they ſometimes fell into the latter extreme, is no leſs evident, from the many ridiculous trifling queſtions that were keenly agitated by them, of

[20] J. Sariſburien. Metalog. l. 2. c. 6. p. 796, &c.
[21] Id. ibid.
[22] Petri Bleſenſ. Ep. 101. p. 157.

which the following one may ſerve for an example: When a hog is carried to market with a rope tied about its neck, which is held at the other end by a man, whether is the hog carried to market by the rope or by the man[23]? This appears to us to be too ridiculous to be mentioned; but it appeared in a very ſerious light to the logicians of this period, who declared, with great gravity, that it was one of thoſe queſtions that could not be ſolved, the arguments on both ſides were ſo perfectly equal. In a word, the far greateſt part of the queſtions that were inveſtigated by the logicians of thoſe times, as John of Saliſbury juſtly obſerves, "were of no uſe, in the church "or the ſtate, in the cloiſter or the court, in "peace or war, at home or abroad, or any where "but in the ſchools[24]."

Metaphyſics and natural philoſophy.

The metaphyſics and natural philoſophy of this period, though they were taught with much parade, and ſtudied with much diligence, do not deſerve the name of ſciences, or merit the attention of poſterity. They conſiſted of a prodigious number of abſtract and ſubtile ſpeculations, about entity and non-entity, ſpirit, primary matter, body, ſubſtance, accidents, ſubſtantial forms, occult qualities, ſolidity, extenſion, coheſion, reſt, motion, time, place, number, magnitude, &c. which contributed nothing to the real knowledge of nature, or benefit of human life[25]. Adelard.

[23] J. Sariſbur. Metalog. l. 1. c. 3. p. 740. [24] Id. ibid. p. 801.
[25] Bruckeri Hiſt. Philoſoph. tom. 3. p. 894. 897.

lard of Bath, already mentioned for his ſkill in the Arabian language, publiſhed a dialogue, on the cauſes of things, between him and his nephew, who, he ſays, read lectures on that ſubject, rather perplexing than inſtructing his hearers [26]. Philip de Tahun, about the ſame time, compoſed a work on the nature of beaſts, for the inſtruction of Alicia, the ſecond queen of Henry I. which gives a very unfavourable view of the ſtate of natural philoſophy, as it is wholly fanciful, and turns every thing into allegory [27]. Henry II. who was a great patron of learning and learned men, ſent Giraldus Cambrenſis into Ireland, to examine the natural hiſtory of that country [28]. His topography of Ireland (the writing of which, he ſays, was the labour of three years) was the conſequence of this commiſſion; and ſhews how ill qualified he was for the taſk in which he was engaged, by the great number of ridiculous incredible ſtories with which it abounds. To give one example of this, out of a hundred that might be given: "When "St. Kewen (ſays he) was one day praying "with both his hands held up to heaven, out of "the window of his chamber, a ſwallow laid an "egg in one of them; and ſuch was the patience "and good-nature of the ſaint, that he neither "drew in nor ſhut his hand till the ſwallow had

[26] Martini & Durand. Theſaur. Anecdot. tom. 1. 292.
[27] Cotton Bib. p. 48.
[28] Expugnatio Hiberniæ, l. 2. c. 31. p. 888.

" built her neſt, laid all her eggs, and hatched " her young. To preſerve the remembrance of " this fact, every ſtatue of St. Kewen in Ireland " hath a ſwallow in one of its hands [29]."

Ethics. The obſervations that have now been made on the metaphyſics and natural philoſophy, may be applied to the ethics or moral philoſophy, of this period. This ſcience was eſteemed an important part of a learned education, and as ſuch it was taught and ſtudied; but in ſo improper a manner, that it contributed very little to enlighten the mind, to amend the heart, or to regulate the manners. Taking Ariſtotle for their guide in this, as well as in logics and phyſics, they diſputed with much warmth and ſubtilty about liberty and neceſſity,—about the means, the ends, the acts of moral philoſophy,—whether it was a practical or ſpeculative ſcience, &c. &c. but took little pains to ſhew the foundations of moral obligation, or to illuſtrate the nature, limits, and motives, of the various duties of men and citizens [30]. This mode of philoſophiſing was ſeverely cenſured by John of Saliſbury in many places. " They err (ſays he), they imprudently err, who " think that virtue conſiſts of words, as a wood of " trees. No! good actions are the glory of " virtue, and the inſeparable companions of true " philoſophy. But thoſe men who are fonder " of the reputation than the reality of wiſdom,

[29] Topographia Hiberniæ, c. 28. p. 727.
[30] Hiſtoire Litteraire de la France, tom. 7. p. 188.

" are

" are noiſy and contentious; they run about the " ſtreets, they frequent the ſchools, they ſtart a " thouſand frivolous and perplexing queſtions, " and confound both themſelves and others by a " deluge of words [31]."

Theology or ſchool-divinity.

That extravagant fondneſs for Ariſtotelian logic, which was the reigning taſte of this period, and of ſome ſucceeding ages, infected all the ſciences in ſome degree; but moſt of all, divinity. It was this that produced that ſpecies of theology which was ſo long admired, and is ſo well known by the name of *ſchool divinity*, and its teachers by the title of the *ſchool-men*. When theſe divines compoſed commentaries on the ſcriptures, it was not with a view to explain the real meaning of the words, or to illuſtrate the truths that they contained, but in order to extract certain myſtical or allegorical ſenſes out of them, and to found certain curious queſtions upon them for ſubjects of diſputation [32]. An incredible multitude of ſuch commentaries were written in thoſe times, which have been long ago conſigned a prey to worms and duſt. But the chief delight and buſineſs of the ſchoolmen was to write voluminous ſyſtems of divinity, conſiſting of a prodigious number of queſtions on all ſubjects, which they diſcuſſed with the greateſt logical acuteneſs. Some of theſe queſtions were bold and impious, others trifling and curious, and not a few ob-

31 J. Sariſburienſ. Metalog. apud Bulæi Hiſt. Pariſ. tom. 2. p. 597.
32 Hiſtoire Literaire de la France, tom. 7. p. 205.

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ſcene [33]. With their obſcenities and impieties, which are truly horrid, theſe pages ſhall not be ſtained; and their frivolities are ſo ridiculous, that they are quite unworthy of a place in hiſtory. Their curioſity, though exceſſive, and far from being innocent, was neither ſo criminal as the former, nor ſo ridiculous as the latter, and therefore a few examples of it may be given. They canvaſſed, with great eagerneſs, the following queſtions, among a thouſand others of the ſame kind: Was Chriſt the ſame between his death and reſurrection, that he was before his death, and after his reſurrection? Doth the glorified body of Chriſt ſtand or ſit in heaven? Is the body of Chriſt that is eaten in the ſacrament, dreſſed or undreſſed? Were the clothes in which Chriſt appeared to his diſciples after his reſurrection real or only apparent? &c. &c [34].

Canon law.

The biſhops of Rome had long been engaged in the ambitious project of erecting a ſpiritual monarchy, ſuperior to all others, even in worldly power. With this view they had aſſembled many councils, compoſed of prelates from all Chriſtian countries, in which they had enacted many laws, commonly called *canons*, for the government of that monarchy. This obliged the biſhops, and their officials, to make the canons of the church their ſtudy, in order to

[33] Eraſmi Encomium Moriæ. Launoeus de Fortun. Ariſtot. c. 14. p. 273, &c.

[34] Bulæi Hiſt. Univerſ. Pariſienſ. tom. 2. p. 613. Hiſtoire Literaire de la France, tom. 7. p. 208, 209.

direct

direct them when they acted as judges in their ſpiritual courts. But it was not till after the publication of the decretals of Gratian, about the middle of the twelfth century, that the canon law attained the rank of a ſcience, and was taught and ſtudied in the ſchools[35]. It ſoon became the moſt faſhionable ſtudy among the clergy, as it was found to pave their way to the higheſt honours and the richeſt benefices. Long before the end of this period, it was taught with great applauſe and profit at Oxford, Paris, Orleans, and many other places[36]. But the ſubtilties of the Ariſtotelian logic gave a tincture to this as well as to the other ſciences, which made John of Saliſbury complain,—"That the laws "themſelves were become traps and ſnares, in "which plain honeſt men, who were unac- "quainted with logical quirks and ſubtilties, "were catched[37]. Peter of Blois ſpeaks with ſtill greater ſeverity of ſome ſtudents and practitioners in the canon law: "It is the chief ſtudy "of the eccleſiaſtical judges of our days, to mul- "tiply litigations, to invent delays, to invali- "date contracts, to ſuppreſs truth, to encourage "falſehood, to increaſe extortions, and, in a "word, to confound all law and juſtice, by "their quirks and ſubtilties[38]."

35 Hiſt. Literaire de la France, tom. 9. p. 215.

36 Hugo Sacræ Antiq. Monument. tom. 1. p. 505. Bulæ Hiſt. Univerſ. Pariſien. tom. 2. p. 580.

37 J. Sariſburienſis de Nugis Curialium, l. 5. c. 16. p. 314.

38 P. Bleſenſ. Ep. 24. p. 45. col. 1.

Civil law. The ſtudy of the Roman or civil law, was introduced into England about the ſame time with that of the canon law. From the departure of the Romans, their laws were little known, and of no authority in this iſland, for more than ſeven hundred years[39]. But the ſtudy of them having been revived at Bononia, Paris, and other ſeminaries of learning on the continent, about A. D. 1130, it ſoon after made its way into England. A copy of the Juſtinian code, as hath been already obſerved, was brought from Rome by ſome of the family of archbiſhop Theobald, A. D. 1140; and a few years after, Roger Vacarius, prior of Beck in Normandy, opened a ſchool at Oxford, in which he read lectures on the civil law to very crowded audiences[40]. But king Stephen, A. D. 1149, impoſed ſilence on Vacarius; who returned into Normandy, and was choſen abbot of Beck[41]. A kind of perſecution was raiſed againſt the profeſſors and ſtudents of the civil law, by the common lawyers, and others; but John of Saliſbury ſays, "That, by "the bleſſing of God, the more the ſtudy of it "was perſecuted, the more it flouriſhed[42]." Henry II. who ſucceeded Stephen, being a much greater politician, was far from diſcouraging the ſtudy of the civil law; which, in conjunction with that of the canon law, prevailed very much in the univerſities, but ſtill more in the cathedral

39 Seldeni Not. Flet. c. 7. ſect. 2.
40 A. Wood Hiſt. Oxon. p. 52. col. 1.
41 J. Sariſburienſ. Policrat. l. 8. c. 22. p. 672. 42 Id. ibid.

ſchools,

ſchools. We learn from a very curious letter of Peter of Blois, that the moſt intricate and knotty queſtions in law and politics were ſometimes referred to the teachers and ſtudents of the civil and canon law in the family of archbiſhop Theobald, or archiepiſcopal ſchool of Canterbury: "In the houſe of my maſter, the archbiſhop of "Canterbury, there are ſeveral very learned "men, famous for their knowledge of law and "politics, who ſpend the time between prayers "and dinner in lecturing, diſputing, and de-"bating cauſes. To us all the knotty queſtions "of the kingdom are referred, which are pro-"duced in the common hall, and every one in "his order, having firſt prepared himſelf, de-"clares, with all the eloquence and acuteneſs of "which he is capable, but without wrangling, "what is wiſeſt and ſafeſt to be done. If God "ſuggeſts the ſoundeſt opinion to the youngeſt "amongſt us, we all agree to it without envy or "detraction[43]."

Though the common law of England was not yet taught in the ſchools as a ſcience, it was ſtudied with great diligence as a profeſſion; and many perſons, by their ſkill in it, acquired both fame and wealth, and obtained the higheſt offices in the ſtate. The greateſt number of theſe profeſſional lawyers were clergymen, though ſome of the laity, as, particularly, Aubury de Vere, who flouriſhed in the reign of king Ste- Common Law.

[43] P. Bleſenſ. Ep. 6. p. 8. col. 2.

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phen, and Ranulph de Glanville, who was chief juſticiary to Henry II. and Richard I. are much celebrated for their knowledge of the common law[44]. The laſt of theſe ſages compoſed a kind of ſyſtem of the common law, with this title, *De legibus et conſuetudinibus Angliæ*[45]. But it was not till ſome time after the concluſion of this period that the law-college of London, commonly called *The inns of court*, was eſtabliſhed; which contributed very much to the improvement of this uſeful and lucrative branch of learning[46].

As the ſubtilties of Ariſtotelian logic could not be applied with ſucceſs to numerical calculations or mathematical demonſtrations, theſe ſciences do not ſeem to have been much ſtudied, or improved, in this period; and therefore a few ſhort obſervations on the ſtate of them will be ſufficient.

Arithmetic. Nothing ever contributed ſo much to facilitate arithmetical operations, as the invention of the Arabian figures for repreſenting numbers. But whether theſe figures were known and uſed in Britain in this period, is a little doubtful. From the revenue-rolls of Henry II. Richard I. and king John, it appears that they were not then uſed in the exchequer; for all the ſums in theſe rolls are marked in Roman letters[47]. But

44 W. Malmſ. Hiſt. Novel. l. 2. p. 104.
45 Dugdale's Origines Juridicales, p. 56. col. 2.
46 Id. ibid. p. 141. 47 Madox Hiſt. Exchеq. paſſim.

the

the learned Dr. Wallis hath produced ſeveral authorities, which make it very probable, that the Arabian arithmetic, called *algoriſm*, performed by the Arabian figures, was known to ſome learned men in England in the twelfth century; and indeed it is hardly poſſible that Adelard of Bath, Robert of Reading, and ſeveral others, who travelled into Spain, Egypt, and other countries, in the courſe of that century, to make themſelves maſters of the Arabian language and learning, could have returned without ſome knowlege of theſe figures[48].

Geometry.

Though the Elements of Euclid, and ſeveral other treatiſes on geometry, were tranſlated out of the Greek and Arabian languages into Latin in this period, we have the cleareſt evidence that this moſt uſeful ſcience was very little ſtudied. "The ſcience of demonſtration "(ſays John of Saliſbury) is of all others the "moſt difficult; and, alas! is almoſt quite "neglected, except by a very few who apply to "the ſtudy of the mathematics, and particularly "of geometry. But this laſt is at preſent very "little attended to amongſt us, and is only "ſtudied by ſome people in Spain, Egypt, and "Arabia, for the ſake of aſtronomy. One "reaſon of this is, that thoſe parts of the works "of Ariſtotle that relate to the demonſtrative "ſciences, are ſo ill tranſlated, and ſo incor-"rectly tranſcribed, that we meet with inſur-

[48] Wallis Algebra, ch. 4.

"mountable

"mountable difficulties in every chapter[49]." After ſo deciſive a teſtimony of one who was ſo well acquainted with the ſtate of learning in the age in which he flouriſhed, it is in vain to look for any great improvements in geometry in this period.

Aſtronomy.

When geometry was ſo much neglected, aſtronomy could not be ſucceſsfully cultivated. There is, however, ſufficient evidence, that a conſiderable degree of attention was paid to the motions, ſituations, and aſpects, of the heavenly bodies; though it is probable that this was done rather with a view to aſtrological predictions, than to diſcover the true ſyſtem of the univerſe. Several treatiſes on aſtronomy were tranſlated out of the Greek and Arabian languages into Latin, particularly the planiſphere of Ptolemy by Ralf of Bruges, and a treatiſe on the aſtrolabe by Adelard of Bath[50]. The aſtrolabe, which ſeems to have been much the ſame with the armillary ſphere of the moderns, was uſed in taking obſervations of the ſun and ſtars[51]. Ingulphus laments the loſs of an aſtronomical table, more than of any thing elſe, that was deſtroyed when his abbey of Croyland was burnt, A. D. 1091. He calls it a *Nadir*, and deſcribes it in this manner: "We then loſt a moſt beautiful and precious "table, fabricated of different kinds of metals, "according to the variety of the ſtars and

49 J. Sariſburienſ. Metalog. l. 4. c. 6. p. 887.

50 Voſſius de Math. c. 63.

51 Du Cange Gloſſ. voc. *Aſtrolabium*.

"heavenly

" heavenly ſigns. Saturn was of copper, Jupi-
" ter of gold, Mars of iron, the Sun of latten,
" Mercury of amber, Venus of tin, the Moon
" of ſilver. The eyes were charmed, as well as
" the mind inſtructed, by beholding the colure
" circles, with the zodiac and all its ſigns, formed
" with wonderful art, of metals and precious
" ſtones, according to their ſeveral natures, forms,
" figures, and colours. It was the moſt admired and
" celebrated Nadir in all England [52]." From the above deſcription of this curious table, it appears to have been a delineation of the Ptolemæan ſyſtem, the centre of it repreſenting the earth, and the planets placed around it exactly in the order of that ſyſtem.

Aſtrology. None of the mathematical ſciences were cultivated with ſo much diligence, in this period, as the fallacious one of judicial aſtrology. None indeed were honoured with the name of mathematicians but aſtrologers, who were believed by many to poſſeſs the precious ſecret of reading the fates of kingdoms, the events of war, and the fortunes of particular perſons, in the face of the heavens. " Mathematicians (ſays Peter of Blois)
" are thoſe who, from the poſition of the ſtars,
" the aſpect of the firmament, and the motions
" of the planets, diſcover things that are to
" come [53]." Theſe pretended prognoſticators were ſo much admired and credited, that there

[52] Hiſt. Ingulph. Oxoniæ edit. A. D. 1685, tom. 1. p. 98.
[53] P. Bleſenſ. Opera, p. 596 col. 1.

was

was hardly a prince, or even an earl or great baron, in Europe, who did not keep one or more of them in his family, to caſt the horoſcopes of his children, diſcover the ſucceſs of his deſigns, and the public events, that were to happen [54]. The moſt famous of theſe aſtrologers publiſhed a kind of almanacs every year, containing ſchemes of the planets for that year, with a variety of predictions concerning the weather, and other events. We have the following quotation from one of theſe almanacs, in a letter of John of Saliſbury: "The aſtrologers call this "year (1170) the wonderful year, from the "ſingular ſituation of the planets and conſtella-"tions, and ſay—that in the courſe of it the "councils of kings will be changed, wars will "be frequent, and the world will be troubled "with ſeditions; that learned men will be diſ-"couraged; but towards the end of the year "they will be exalted [55]." From this ſpecimen we may perceive, that their predictions were couched in very general and artful terms. But by departing from this prudent conduct not long after this, and becoming a little too plain and poſitive, they brought a temporary diſgrace on themſelves and their art. For, in the beginning of the year 1186, all the great aſtrologers in the Chriſtian world agreed in declaring, that, from an extraordinary conjunction of the planets in the

54 Hoveden. Annal. p. 356.

55 Epiſtol. T. Cantuar. l. 2. Ep. 48. p. 388, 389.

ſign

ſign Libra, which had never happened before, and would never happen again, there would ariſe, on Tueſday, September 16th, at three o'clock in the morning, a moſt dreadful ſtorm, that would ſweep away not only ſingle houſes, but even great towns and cities;—that this ſtorm would be followed by a deſtructive peſtilence, bloody wars, and all the plagues that had ever afflicted miſerable mortals[56]. This direful prediction ſpread terror and conſternation over Europe, though it was flatly contradicted by the Mahometan aſtrologers of Spain, who ſaid, there would only be a few ſhipwrecks, and a little failure in the vintage and harveſt[57]. When the awful day drew near, Baldwin, archbiſhop of Canterbury, commanded a ſolemn faſt of three days to be obſerved over all his province. But to the utter confuſion of the poor aſtrologers, the 16th of September was uncommonly ſerene and calm, the whole ſeaſon remarkably mild and healthy; and there were no ſtorms all that year (ſays Gervaſe of Canterbury), but what the archbiſhop raiſed in the church by his own turbulence[58]. In the midſt of the general wreck of aſtrological reputation, William, aſtrologer to the conſtable of Cheſter, ſaved his character, by ſubjoining to his prediction this alternative,—"If "the nobles of the land will ſerve God, and fly "from the devil, the Lord will avert all theſe

[56] Hoveden. Annal. p. 356. [57] Id. p. 358.
[58] Gervas Chron. apud X Script. col. 1479.

"impend-

" impending plagues [59]." But though aſtrology was in itſelf deceitful, and ſometimes involved its profeſſors in diſgrace, it contributed greatly to promote the ſtudy of aſtronomy; and there is the cleareſt evidence, that the aſtrologers of this period could calculate eclipſes, could find the ſituation of the planets, and knew the times in which they performed their revolutions, &c. [60]

Medicine. Medicine had been practiſed as an art in Britain in the darkeſt ages. In this period it began to be ſtudied as a ſcience. The medical ſchools of Salernum in the kingdom of Naples, and of Montpelier in France, were famous in thoſe times, and frequented by many perſons from all parts of Europe [61]. This ſcience was alſo taught and ſtudied in the univerſities of Paris and Oxford [62]. But the following deſcription of the theoretical and practical phyſicians of the twelfth century, given by one of the moſt learned and ingenious men who flouriſhed in that age, will preſent us with a more ſatisfactory view of the ſtate of medicine in this period, than any thing that can be ſaid by any modern writer. " The profeſſors of the theory of medicine are " very communicative; they will tell you all " they know, and perhaps, out of their great

59 Hoveden. Annal. p. 357. col. 1. 60 Id. ibid p. 358.

61 Opera J. Freind. p. 535. J. Sariſburienſ. Metalog. l. 1. c. 4. P. 743.

62 Bulæi Hiſt. Univerſ. Pariſ. tom. 2. p. 575. A Wood Hiſt. Univerſ. Oxon. p. 46. col. 2.

kindneſs,

" kindneſs, a little more. From them you may " learn the natures of all things, the cauſes of " ſickneſs and of health, how to baniſh the one " and to preſerve the other; for they can do " both at pleaſure. They will deſcribe to you " minutely the origin, the beginning, the pro- " greſs, and the cure of all diſeaſes. In a word, " when I hear them harangue, I am charmed, I " think them not inferior to Mercury or Eſcu- " lapius, and almoſt perſuade myſelf that they " can raiſe the dead. There is only one thing " that makes me heſitate. Their theories are " as directly oppoſite to one another as light and " darkneſs. When I reflect on this I am a little " ſtaggered. Two contradictory propoſitions " cannot both be true. But what ſhall I ſay of " the practical phyſicians? I muſt ſay nothing " amiſs of them. It pleaſeth God, for the pu- " niſhment of my ſins, to ſuffer me to fall too " frequently into their hands. They muſt be " ſoothed, and not exaſperated. That I may " not be treated roughly in my next illneſs, I " dare hardly allow myſelf to think in ſecret " what others ſpeak aloud[63]." In another work this writer picks up more courage, and ſpeaks his mind of the practical phyſicians with equal freedom. " They ſoon return from college, full " of flimſy theories, to practiſe what they have " learned. Galen and Hippocrates are conti- " nually in their mouths. They ſpeak apho-

[63] J. Sariſburienſ. Policrat. l. 2. c. 29. p. 147.

"riſms on every ſubject, and make their hearers "ſtare at their long, unknown, and high ſound- "ing words. The good people believe that they "can do any thing, becauſe they pretend to all "things. They have only two maxims which "they never violate: never mind the poor—never "refuſe money from the rich [64]."

The clergy the chief phyſicians.

The clergy were almoſt the only perſons in this period who taught and practiſed phyſic, as well as the other ſciences; and we meet with very few celebrated for their medical knowledge who were not prieſts or monks. This profeſſion became ſo lucrative, and ſo many monks applied to the ſtudy and practice of it, deſerting their monaſteries, and neglecting their own profeſſion, that a canon was made in the council of Tours, A. D. 1163, prohibiting monks to ſtay out of their monaſteries above two months at one time, teaching or practiſing phyſic [65]. No reſtraint of this kind was laid on the ſecular clergy, and many of the biſhops and other dignitaries of the church acted as phyſicians in ordinary to kings and princes, by which they acquired both riches and honour [66]. Theſe very reverend phyſicians drew much of their medical knowledge from the writings of Rhazes, Avicenna, Avenzoar, Averhois, and other Arabians, whoſe works had been tranſlated into Latin by Conſtantine, a

[64] J. Sariſburienſ. Metalog. l. 1. c. 4. p. 743.

[65] Bulæi Hiſt. Univerſ. Pariſien. tom. 2. p. 575. Concil. tom. 10. p. 986. 1004. 1421.

[66] Hiſtoire Literaire de la France, tom. 9. p. 193, 194.

monk of Mount Caſine, near Salernum, and others [67]. It will not perhaps be diſagreeable to ſome medical readers to ſee the deſcription and treatment of a particular diſeaſe by one of their predeceſſors in the art of healing in England, about ſix hundred years ago, which they will find in the Appendix N° 3.

Diſtinction between phyſicians and ſurgeons.

It is not improbable that the ſcientific way of teaching and ſtudying phyſic, which was introduced by the medical ſchools of the eleventh and twelfth centuries, gave riſe to the diſtinction between phyſicians and ſurgeons, which appears to have taken place towards the end of this period. For a contemporary poet, in deſcribing the attempts that were made to cure the wound which Richard I. received before the caſtle of Chalus, A.D. 1199, plainly diſtinguiſhes theſe two profeſſions, and the different parts they acted on that occaſion [68]. There is even ſufficient evidence, that ſome perſons, about the ſame time, applied more particularly to the ſtudy of the *materia medica*, and the compoſition of medicines, and were on that account called apothecaries. We are told in the annals of the church of Wincheſter, that Richard Fitz-Nigel, who died biſhop of London A. D. 1198, had been apothe-

[67] Opera J. Freind, p. 533, &c.

[68] Interea regem circumſtant undique mixtim,
Apponunt medici fomenta, ſecantque chirurgi
Vulnus, ut inde trahant ferrum leviore periclo.
Paſquier Recherches, l. 9, c. 31.

cary to Henry II[69]. Whoever will give himſelf the trouble to peruſe the preſcriptions of the Salernian ſchool, which were written in the eleventh century, for the uſe of a king of England, will perceive, that the *materia medica* of thoſe times was far from being ſcanty, and that they were acquainted with ſome very complicated and artificial mixtures, particularly *theriac*, which conſiſts of above fifty ingredients[70].

Sciences that were neglected.

It ſeems to be impoſſible to give any ſatisfactory account of the ſtate of experimental philoſophy, anatomy, chemiſtry, botany, and ſome other parts of learning, from the genuine monuments of this period; which plainly indicates, that theſe ſciences were then either totally neglected, or very little cultivated.

The circle of the ſciences enlarged.

By comparing the above delineation of the ſtate of learning, with that which was given of it in the former period, we cannot but obſerve, that the circle of the ſciences was now conſiderably enlarged, and that ſome of them were cultivated with greater diligence and ſucceſs[71]. This is agreeable to the teſtimony of the beſt contemporary hiſtorians. "Before the arrival "of the Normans (ſays William of Malmſ-"bury), learning was almoſt extinct in Eng-"land. The clergy contented themſelves with "the ſlighteſt ſmattering of letters, and could "hardly ſtammer through the offices of the

69 Anglia Sacra, tom. 1. p. 304.

70 Medicina Salernitana, c. 13. p. 119.

71 See book 2. ch. 4.

"church. If any one amongſt them underſtood "a little grammar, he was admired as a pro-"digy [72]." But ſo ſudden and advantageous a change in this reſpect took place after the conqueſt, that the ſame ſenſible writer acquaints us, that learning was in a more flouriſhing ſtate in England and Normandy, ſo early as the reign of Henry I. than it was in Italy [73]. This happy change ſeems to have been owing to the following cauſes:

Cauſes of the improvement of learning.

The acceſſion of William duke of Normandy to the throne of England, contributed in ſeveral ways to the revival of learning in Britain. That prince had received a good education, was fond of reading, and the converſation of learned men, to whom he was a moſt munificent patron, advancing them to the higheſt dignities and richeſt benefices in the church [74]. This had excited an extraordinary ardour for literary purſuit, among the clergy in Normandy, and had afterwards the ſame effect in England. Beſides this, many of the moſt learned men on the continent came over into Britain, after the conqueſt, and by their example and inſtructions diffuſed the love and knowledge of letters. William took great care of the education of his royal offspring, and Henry I. his youngeſt ſon, became the moſt learned prince, and the greateſt promoter of learning, of the age in which he flouriſhed.

[72] W. Malmſ. l. 3. p. 57. [73] Id. l. 5. p. 90.
[74] W. Gemitens, p. 604. edit. a Camdeno. Orderic. Vital. p. 656.

This procured him the ſurname of *Beauclerk*, or the fine ſcholar[75]. He married his only daughter, the heireſs of all his dominions, to Geoffrey Plantagenet earl of Anjou, who is greatly celebrated for his learning[76]. The eldeſt ſon of this marriage, Henry II. received a learned education, under the direction of his excellent uncle Robert earl of Gloceſter, who was more illuſtrious for his knowledge and virtue than his royal birth[77]. Henry II. never loſt that taſte for letters he had acquired in his youth; and through his whole life, as we are aſſured by one who was intimately acquainted with him, he ſpent his leiſure hours, either in reading, or in diſcuſſing ſome literary queſtion in a circle of learned men[78]. His three ſons, Henry, Geoffrey, and Richard, had all a conſiderable tincture of letters, and a taſte for poetry[79]. Under the patronage of theſe great princes, learning could hardly fail to revive, and in ſome degree to flouriſh.

The increaſe of monaſteries one cauſe of the improvements in learning.

The erection of above one hundred monaſteries in England, in the courſe of this period, may be reckoned among the cauſes of the revival of learning,—by increaſing the number both of teachers and ſtudents,—by multiplying

75 Martin. Anec. l. 3. p. 345. J. Brompt. apud X Script. p. 978. H. Knighton. Ibid. p. 2374.

76 D. Acherii Spicileg. l. 10. p. 508.

77 Gervas Chron. p. 1358. W. Malmſ. l. 5. p. 96.

78 P. Bleſenſ. Ep. 66. p. 198.

79 Hiſtoire Literaire de la France, tom. 9. p. 175.

the

the inducements to purſue, and the opportunities to acquire knowledge,—but chiefly by making books much more common and attainable than they had been in any former period. It will by and by appear that every convent was a kind of college in which ſeveral parts of learning were taught and ſtudied [80]. The government of theſe religious houſes was commonly beſtowed on men of learning; and being attended with conſiderable degrees of power and dignity, afforded ſtrong incentives to ſtudy. A library was then eſteemed ſo eſſential to a monaſtery, that it became a proverb, "A convent "without a library, is like a caſtle without an "armory [81]." Some of theſe monaſtic libraries were very valuable. Though the abbey of Croyland was burnt only twenty-five years after the conqueſt, its library then conſiſted of nine hundred volumes, of which three hundred were very large [82]. To provide books for the uſe of the church, and for furniſhing their libraries, there was in every monaſtery a room called *the Scriptorium*, or writing chamber, in which ſeveral of the younger monks were conſtantly employed in tranſcribing books; and to which, in ſome monaſteries, conſiderable revenues were appropriated [83]. A noble Norman, who was a great encourager of learning, left his own library to that of the abbey of St. Albans, A. D. 1086,

[80] See Section 3.
[81] Martin. Anec. tom. 1. col. 511.
[82] Hiſtoria Ingulphi, Oxon. edit. p. 98.
[83] Du Cange Gloſſ. voc. Scriptorium.

and granted two thirds of the tithes of Hatfield, and certain tithes in Redburn, to ſupport the writers in the ſcriptorium of that abbey [84]. Where there were no fixed revenues for defraying the expences of procuring books for the library, the abbot, with the conſent of the chapter, commonly impoſed an annual tax on every member of the community for that purpoſe [85]. The monks of ſome monaſteries, in this period, were bitterly reproached for the extravagant ſums they expended on their libraries [86].

Art of making paper another cauſe of this.

The art of making paper, which was invented in the courſe of this period, contributed alſo to the revival of, and more general application to, learning, by rendering the acquiſition of books much leſs difficult and expenſive than it had formerly been. We have not the ſatisfaction of knowing to whom we are indebted for that moſt uſeful invention. But it appears that our paper was at firſt made of cotton; and, on that account, called *charta bombycina*, or *cotton paper*; and that towards the end of the eleventh or beginning of the twelfth century, it began to be made of linen rags, as it is at preſent [87].

Croiſades another cauſe of this.

Though the learned authors of the literary hiſtory of France are of opinion that the Croiſades proved an impediment to the progreſs of learning, I am more inclined to think, with the

[84] M. Paris Vita Abbatum, p. 32.
[85] Mabell. Annal. tom. 6. p. 651, 652.
[86] Martin. Col. Script. tom. 1. p. 1020, 1021.
[87] Murator. Antiq. tom. 3. col. 871.

judicious

judicious and elegant hiſtorian of Charles V. that they had a contrary effect[88]. That the ſciences, as well as the arts, were in a more flouriſhing ſtate in the Greek empire, and the Eaſt, than in thoſe countries which had compoſed the weſtern empire, is acknowledged on all hands. It ſeems therefore highly probable, that ſome of thoſe ingenious and inquiſitive men, of which the number was not ſmall, who accompanied the Croiſaders in their expeditions into the Eaſt, acquired ſome ſciences which they could not have acquired in their own countries, and that they communicated their acquiſitions to their countrymen on their return home.

SECTION II.

Hiſtory of the moſt learned men who flouriſhed in Britain, from A. D. 1066, *to* A. D. 1216.

THOUGH the circle of the ſciences was enlarged, and learning was cultivated with greater aſſiduity in this than in the former period; yet this was chiefly, or rather almoſt only by the clergy. The great body of the people, and even the far greateſt part of the nobility, ſtill continued illiterate, or had but a very ſlight acquaintance with letters. Of this, if it were

Learning chiefly among the clergy.

[88] Hiſtoire Literaire de la France, tom. 9. p. 16. Dr. Robertſon's Hiſtory of Charles V. vol. 1. p. 26.

neceſſary,

neceſſary, many proofs might be produced; but the following one, it is preſumed, will be ſufficient. After the flight of archbiſhop Becket out of England, A. D. 1164, Henry II. ſent a moſt ſplendid embaſſy to the pope, conſiſting of one archbiſhop, four biſhops, three of his own chaplains, the earl of Arundel, and other three of the greateſt barons of the kingdom. When theſe ambaſſadors were admitted to an audience, and four of the prelates had harangued the pope and cardinals in Latin, the earl of Arundel ſtood up, and made a ſpeech in Engliſh, which he began in this manner: "We who are illiterate "laymen do not underſtand one word of what "the biſhops have ſaid to your holineſs[1]." We may be almoſt certain, that if Henry, who was a learned prince, could have found men of learning amongſt his nobility, he would have ſent them on this embaſſy. The truth is, that the general ignorance of the laity of all ranks was ſo well known, that the hiſtorians of this period frequently diſtinguiſh the clergy from the laity, by calling the former *literati*, and the latter *laici*[2]. Our readers therefore need not be ſurpriſed to find, that all the learned men mentioned in this ſection belonged either to the ſecular or regular clergy.

The laws of general hiſtory, and the limits of this work, will admit only of a very brief ac-

[1] Vita S. Thomæ, l. 2. c. 9. p. 74.
[2] Ingulphi Hiſt. edit. Oxon. p. 105.

count

count of a few who were moſt eminent for their learning in every period.

Ingulph, abbot of Croyland, and author of the hiſtory of that abbey, was born in London about A. D. 1030. He received the firſt part of his education at Weſtminſter; and when he viſited his father, who belonged to the court of Edward the Confeſſor, he was ſo fortunate as to engage the attention of queen Edgitha. That amiable and learned princeſs took a pleaſure in examining our young ſcholar on his progreſs in grammar, and in diſputing with him in logic; nor did ſhe ever diſmiſs him without ſome preſent as a mark of her approbation [3]. From Weſtminſter he went to Oxford, where he applied to the ſtudy of rhetoric and of the Ariſtotelian philoſophy, in which he made greater proficiency than many of his contemporaries [4]. When he was about twenty-one years of age, he was introduced to William duke of Normandy (who viſited the court of England A. D. 1051), and made himſelf ſo agreeable to that prince, that he appointed him his ſecretary, and carried him with him into his own dominions. In a little time he became the prime favourite of his prince, and the diſpenſer of all preferments, humbling ſome and exalting others at his pleaſure; in which difficult ſtation, he confeſſed he did not behave with a proper degree of modeſty and prudence [5]. Ingulphus.

3 Ingulph. Hiſt. edit. Oxon. l. 1. p. 62. Tanner Bibliothec. p. 429.
4 Ibid. p. 73. 5 Id. ibid.

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This excited the envy and hatred of many of the courtiers: to avoid the effects of which, he obtained leave from the duke to go in pilgrimage to the Holy Land, which was then become faſhionable. With a company of thirty horſemen, he joined Sigfrid, duke of Mentz, who, with many German nobles, biſhops, clergy, and others, was preparing for a pilgrimage to Jeruſalem. When they were all united, they formed a company of no fewer than ſeven thouſand pilgrims. In their way they ſpent ſome time at Conſtantinople, performing their devotions in the ſeveral churches. In their paſſage through Lycia, they were attacked by a tribe of Arabs, who killed and wounded many of them, and plundered them of a prodigious maſs of money. Thoſe who eſcaped from this diſaſter, at length reached Jeruſalem, viſited all the holy places, and bedewed the ruins of many churches with their tears, giving money for their reparation. They intended to have bathed in Jordan, but being prevented by the roving Arabs, they embarked on board a Genoeſe fleet at Joppa, and landed at Brunduſium, from whence they travelled through Apulia to Rome. Having gone through a long courſe of devotions in this city, at the ſeveral places diſtinguiſhed for their ſanctity, they ſeparated, and every one made the beſt of his way into his own country. When Ingulph and his company reached Normandy, they were reduced to twenty half-ſtarved wretches, without money, clothes, or horſes. A faithful picture

picture of the fooliſh diſaſtrous journies into the Holy Land, ſo common in thoſe times. Ingulph was now ſo much diſguſted with the world, that he reſolved to forſake it, and become a monk in the abbey of Fontenelle in Normandy; in which, after ſome years, he was advanced to the office of prior. When his old maſter was preparing for his expedition into England, A. D. 1066, he was ſent by his abbot with one hundred marks in money, and twelve young men, nobly mounted and completely armed, as a preſent from their abbey. Ingulph having found a favourable opportunity, preſented his men and money to his prince, who received him very graciouſly; ſome part of the former affection for him reviving in his boſom. In conſequence of this he raiſed him to the government of the rich abbey of Croyland in Lincolnſhire, A. D. 1076, in which he ſpent the laſt thirty-four years of his life, governing that ſociety with great prudence, and protecting their poſſeſſions from the rapacity of the neighbouring barons by the favour of his royal maſter. The lovers of Engliſh hiſtory and antiquities are much indebted to this learned abbot for his excellent hiſtory of the abbey of Croyland, from its foundation, A. D. 664, to A. D. 1091, into which he hath introduced much of the general hiſtory of the kingdom, with a variety of curious anecdotes that are no where elſe to be found[6].

[6] Vide Hiſt. Ingulph. & Savilio edit. London 1594. Oxon. 1684.

Ingulph

Ingulph died of the gout, at his abbey, 1ſt December A. D. 1109, in the ſeventy-ninth year of his age [7].

Lanfranc. Lanfranc, archbiſhop of Canterbury, was born at Pavia, A. D. 1005, where he was educated in grammar and logic [8]. After the death of his father, he ſpent ſome years in the ſtudy of rhetoric and civil law, at Bolognia; from whence he returned to his native city, and commenced an advocate in the courts of law [9]. Thinking this too narrow a ſphere, he removed into France, and opened a ſchool at Avranche, which was ſoon crowded with ſtudents of high rank [10]. In a journey to Roane, he had the misfortune to be robbed, and left bound in a wood, where he was found next morning by ſome peaſants, who carried him, almoſt dead, to the abbey of Bec. Here he was treated with ſo much tenderneſs, that when he recovered, he became a monk in that abbey, A. D. 1041 [11]. At the end of three years he was choſen prior of his convent, and opened a ſchool, which in a little time became very famous, and was frequented by ſtudents from all parts of Europe [12]. Amongſt others, ſome of the ſcholars of Berenger, archdeacon of Angers, and maſter of the academy of Tours,

[7] Continuat. Hiſt. Croyland, p. 112.

[8] Mabil. Act. tom. 9. p. 659. [9] Id. ibid. p. 360.

[10] Hiſtoire Literaire de la France, tom. 8. p. 261.

[11] Du Pin Eccleſ. Hiſt. cent. 11. c. 3. Gervas, apud X Script. col. 1652.

[12] Hiſtoire Literaire de la France, tom. 8. p. 262.

left

left that ſchool, and went to ſtudy at the abbey of Bec. This, it is ſaid, excited the envy of Berenger, and gave riſe to that long and violent controverſy between him and Lanfranc, on the ſubject of the euchariſt, which made a mighty noiſe in the church [13]. When our author reſided in the abbey of Bec, his literary fame procured him the favour of his ſovereign, William duke of Normandy, who made him one of his counſellors, employed him in an important embaſſy to the pope, and appointed him, A. D. 1062, abbot of his newly erected monaſtery of St. Stephen's, at Caen [14]. Here he eſtabliſhed a new academy, which became no leſs famous than his former one at Bec. When the ſee of Canterbury became vacant by the depoſition of Stigand the Conqueror procured his election to that ſee, Auguſt 15th, A. D. 1070, and with ſome difficulty prevailed upon him to accept of that high ſtation [15]. He proved a great benefactor to the church of Canterbury, by aſſerting its right to the primacy of England,—by recovering many of its poſſeſſions,—and by rebuilding the cathedral [16]. He enjoyed a high degree of the favour of William I. and had the chief direction of all affairs, both in church and ſtate, under William II. to the time of his death, which happened May 28th, A. D. 1089, in the

[13] Hiſtoire Literaire de la France, tom. 8. p. 263.
[14] Id. ibid. p. 268. [15] Eadmer. Hiſt. Novel. l. 1. p. 6.
[16] Id. ibid. p. 7. Gervas, col. 1653. 1292. J. Brompt. Ibid. col. 970—972.

eighty-

eighty-fourth year of his age[17]. Several of our ancient hiſtorians who were almoſt his contemporaries, ſpeak in very advantageous terms of the genius and erudition of Lanfranc; and ſome of them, who were perſonally acquainted with him, repreſent him as the moſt learned man of the age in which he flouriſhed[18]. His writings conſiſt of commentaries on St. Paul's epiſtles, ſermons on various ſubjects, letters, and his famous treatiſe on the euchariſt againſt Berenger, in which he employed all his abilities in ſupport of that opinion which had been broached by Paſchaſius Radbertus, in the gloom of the ninth century, had been gradually gaining ground among the clergy through the tenth and eleventh, and terminated in tranſubſtantiation towards the end of the twelfth[19]. This treatiſe had rendered Lanfranc a prodigious favourite with the literary hiſtorians of the church of Rome, who load him with the moſt extravagant and laviſh praiſes[20].

Anſelm. Anſelm, archbiſhop of Canterbury, the diſciple and ſucceſſor of Lanfranc, was born at Aouſt in Piedmont, A. D. 1034, of noble and pious parents, who were at great pains to give him a good education[21]. Having loſt his mo-

17 J. Brompt. col. 986. Gervas, p. 1655.

18 Anglia Sacra, tom. 2. p. 223. Eadmeri. Hiſt. p. 6. W. Malmſ. l. 3. p. 61. col. 2.

19 Opera Lanfran. a d'Acher. edit. Paris, 1648. Du Pin, Eccleſ. Hiſt. cent. 9. c. 7. Opera P. Bleſenſ. p. 219. col. 1. p. 644. col. 1.

20 Hiſtoire Literaire de la France, t. 8. p. 260—305.

21 Anſelmi Vita, l. 1. p. 2.

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ther Ermengarda when he was about ſeventeen years of age, he abandoned his ſtudies, and indulged his youthful paſſions to ſuch a degree, that his father refuſed to ſee him, or admit him into his houſe; on which he left his native country and travelled into France. After ſome time, attracted by the fame of Lanfranc, he ſettled at the abbey of Bec, and proſecuted his ſtudies with ſo much ardour under that great maſter, that he excelled all his fellow-ſtudents in learning [22]. Having become a monk in that abbey, A. D. 1060, he was choſen, three years after, to ſucceed Lanfranc, both as prior, and teacher of the ſciences; in both which ſtations he acquitted himſelf ſo much to the ſatisfaction of the ſociety, that he was unanimouſly elected abbot, on the firſt vacancy, A. D. 1078 [23]. The abbey of Bec had ſeveral eſtates in England, which obliged our abbot ſometimes to viſit this kingdom; and in theſe viſits he gained the friendſhip of ſome of the greateſt men. He happened to be here A. D. 1193, when William II. in a fit of ſickneſs, was prevailed upon to fill the ſee of Canterbury, which he had kept four years vacant, and nominated him to that high office. After a long and obſtinate oppoſition to his own advancement, in which ſome perſons ſuſpected his ſincerity, he was conſecrated December 4th, A. D. 1093 [24]. The quarrels of this prelate

[22] Anſelmi Vita. l. 1. p. 3.
[23] Id. ibid. p. 9.
[24] Eadmer. Hiſt. p. 16—21.

with

with William II. and afterwards with Henry I. about inveſtitures, have been already mentioned [25]. Theſe obliged him to ſpend much of his time on the continent, and rendered his pontificate uncomfortable to himſelf and hurtful to the kingdom. After a tedious indiſpoſition, he expired at Canterbury April 21ſt, A. D. 1109, in the ſixty-ſixth year of his age [26]. Anſelm was one of the moſt voluminous writers of the age in which he flouriſhed, as any one may be convinced, by peruſing the catalogue of his works in the books quoted below [27]. He excelled chiefly in logic and metaphyſics, and the application of them to theological ſubjects; which made him to be conſidered as one of the fathers of ſcholaſtic divinity.

Eadmerus. Eadmerus, the faithful friend and hiſtorian of archbiſhop Anſelm, was an Engliſhman; but his parents, and the particular time and place of his nativity, are not known. He received a learned education, and very early diſcovered a taſte for hiſtory, by recording every remarkable event that came to his knowledge [28]. Being a monk in the cathedral of Canterbury, he had the happineſs to become the boſom-friend and inſeparable companion of two archbiſhops of that ſee, St. Anſelm, and his ſucceſſor Ralph. To the former of theſe he was appointed ſpi-

[25] See vol. 5. chap. 2. p. 292, &c. [26] Eadmer, p. 102.
[27] Hiſtoire Literaire de la France, tom. 9. p. 416—465. Tanner, p. 44, 45, 46.
[28] Eadmer. Hiſt. Novar. p. 10.

ritual director, by the pope; and that prelate would do nothing without his permiſſion [29]. His election to the ſee of St. Andrews, in Scotland, and its conſequences, have been already mentioned [30]. But Eadmerus is moſt worthy of the grateful remembrance of poſterity for his hiſtorical work, particularly for his excellent hiſtory of the affairs of England in his own time, from A. D. 1066, to A. D. 1122; in which he hath inſerted many original papers, and preſerved many important facts, that are no where elſe to be found [31]. This work hath been highly commended, both by ancient and modern writers, for its authenticity, as well as for regularity of compoſition and purity of ſtyle [32]. It is indeed more free from legendary tales, than any other work of this period; and it is impoſſible to peruſe it with attention, without conceiving a favourable opinion of the learning, good ſenſe, ſincerity, and candour of its author.

Turgot, a contemporary of Eadmerus, was an Anglo-Saxon, of a good family in Lincolnſhire, and received a learned education. When he was a young man, he was delivered by the people of Lindſay, as one of their hoſtages, to William the Conqueror, and confined in the caſtle of Lincoln [33]. From thence he made his eſcape Turgot.

[29] W. Malmſ. de Geſt. Pontif. Angl. l. 1. p. 130.
[30] See vol. 5. chap. 2. p. 331.
[31] Eadmer. Hiſt. Novar. a Selden. edit. London, A. D. 1623.
[32] W. Malmſ. Leland, Cave, Nicolſon, Selden, &c.
[33] Simeon Dunelm. Hiſt. apud X Script. col. 206, 207.

into Norway, and reſided ſeveral years in the court of king Olave, by whom he was much careſſed and enriched. Returning to his native country, he was ſhipwrecked on the coaſt of Northumberland, by which he loſt all his money and effects, eſcaping death with great difficulty. He travelled to Durham; and applying to Walter, biſhop of that ſee, declared his reſolution to forſake the world, and become a monk; in which he was encouraged by that pious prelate, who committed him to the care of Aldwine, the firſt prior of Durham. Being admitted into that priory, he recommended himſelf ſo much to the whole ſociety, by his learning, piety, prudence, and other virtues, that, on the death of Aldwine, A. D. 1087, he was unanimouſly choſen prior, and not long after was appointed by the biſhop archdeacon of his dioceſs [34]. In the faithful diſcharge of the duties of theſe two offices, he ſpent the ſucceeding twenty years of his life, ſometimes reſiding in the priory, and at other times viſiting the dioceſs, and preaching in different places. Some of his leiſure hours he employed in collecting and writing the hiſtory of the church of Durham or Northumberland, from A. D. 635, to A. D. 1096, in four books [35]. But not having publiſhed this work, or made many tranſcripts of it, according to the cuſtom of thoſe times, it fell into the hands of Simeon, precentor of the

34 Simeon Dunelm. Hiſt. apud X Scriptt. col. 53, 54.
35 Id. col. 1—5.

church of Durham, who publiſhed it under his own name, expunging only a few paſſages that would have diſcovered its real author. This curious fact is demonſtrated by the learned Mr. Selden, in his preface to the ten ancient hiſtorians, publiſhed by Sir Roger Twyſden; and ſhows that literary fame was even then an object of ambition [36]. The promotion of Turgot to the ſee of St. Andrew's, in Scotland, A. D. 1107, and his death at Durham, A. D. 1115, have been already recorded [37]. Turgot compoſed ſeveral other works, particularly the lives of Malcolm Canmore, king of Scotland, and of his pious conſort queen Margaret, from which John Fordun hath quoted ſeveral facts [38].

Robert White.

Robert White (in Latin Robertus Pullus) was born in England toward the end of the eleventh century; and having received a learned education in his own country, he went, as was uſual in thoſe times, to the univerſity of Paris for his further improvement [39]. Here he continued ſeveral years, and acquired a ſhining reputation by his learned lectures in philoſophy and theology, which were attended by crowded audiences. He was invited by Aſceline, biſhop of Rocheſter, A. D. 1136, to return into his own country, where his labours were much wanted for the revival of learning; and no leſs earneſtly preſſed by

[36] Prefat X Script. poſt Bedam, p. 4.
[37] See vol. 5. chap. 2. p. 330.
[38] Fordun, Scotichron. l. 5. c. 14, 15, 16, 18, 19, 20, 21.
[39] Simeon Dunelm. Continuat. apud X Script. col. 275.

the famous St. Bernard to continue at Paris, where he did ſo much good [40]. But he complied with the invitation of the biſhop, who had appointed him as archdeacon; and read lectures on the ſcriptures at Oxford five years, which attracted prodigious numbers of ſtudents to that univerſity [41]. Being of a ſtudious unambitious diſpoſition, he declined a biſhopric that was offered him by Henry I [42]. At length he became ſo famous, that he was called to Rome, A. D. 1143, by Celeſtine II. appointed a cardinal by Lucius II. and made chancellor of the holy ſee by Eugenius III.; and was eſteemed the moſt learned of all the college of cardinals [43]. He is believed to have died about A. D. 1150. He compoſed many theological works; but none of them have been printed, except his book of ſentences, which is a body of ſcholaſtic divinity, written in a better ſtyle, and with greater perſpicuity, than was common in thoſe times [44].

Nicolas Breakſpear.

Nicolas Breakſpear, the only Engliſhman who ever ſat in St. Peter's chair, was born near St. Albans, and in his youth performed the meaneſt menial offices about the abbey of that place, in which his father was a monk [45]. Being rejected, for want of learning, by the abbot, when he

40 Bulæi Hiſt. Univerſ. Pariſ. tom. 2. p. 153.
41 A. Wood. Hiſt Univerſ. Oxon. p. 49.
42 Simeon Dunelm. col. 275.
43 Bulæi Hiſt. Univerſ. Pariſien. tom. 2. p. 244.
44 Du Pin. Hiſt. cent. 12. chap. 15.
45 M. Paris, Hiſt. Abbat. St. Albani, p. 42. col. 2.

deſired to become a monk, and reproached by his father for his indolence, he left England, and went to Paris, where he applied to ſtudy with the greateſt ardour [46]. From Paris he travelled into Provence, and was admitted a monk in the abbey of St. Rufus, where he ſtill continued to proſecute his ſtudies, and recommended himſelf ſo effectually, that, on the firſt vacancy, he was choſen abbot. The monks, however, ſoon became weary of the government of a foreigner, and made bitter complaints againſt their new abbot to Pope Eugenius III. This proved a very fortunate event to our countryman. For the pope was ſo much pleaſed with the learning and eloquence he diſplayed in his own defence, that he thought him worthy of a higher ſtation in the church, made him biſhop of Alba, A. D. 1146, and a cardinal [47]. Not long after he was ſent as papal legate into Denmark and Norway; and acquitted himſelf ſo well in that ſtation, that a vacancy happening in the papal throne about the time of his return to Rome, he was unanimouſly choſen pope in November 1154, and took the name of Adrian IV [48]. Henry II. pleaſed with the elevation of one who had been his ſubject, ſent three biſhops and the abbot of St. Albans, to congratulate the new pope on his election [49]. The ambaſſadors met with a moſt

[46] M. Paris, Hiſt. Abbat. St. Albani, p. 42. col. 2. W. Neubrigenſ. l. 2. c. 6.

[47] Id. ibid.

[48] Platina in Vit. Adrian. IV. W. Neubrigenſ. l. 2. c. 6.

[49] M. Paris, Vit. Abbat. St. Albani, p. 46.

gracious reception, and obtained from his holineſs every favour the king of England deſired, particularly a grant of the kingdom of Ireland, in which grant the high pretenſion to the property of all the iſlands in the ſea was advanced [50]: a proof, that though Adrian's origin was low, his ſpirit and his claims were as high as any of his predeceſſors. But this pontiff ſoon found the vanity of ambition even when it is moſt ſucceſsful; for his pontificate, which laſted only four years and ten months, was one continued ſcene of diſquiet and trouble; and, if we may believe ſome writers, his death was violent, A. D. 1159 [51]. Though Adrian was a man of genius and learning, none of his works have been publiſhed, except his letters.

Hiſtorians. England produced a great number of hiſtorians in the twelfth century, and it may not be improper to give a very brief account of the moſt conſiderable of them, without interruption, though it ſhould make us depart a little from the exact order of time.

William of Malmſbury. William of Malmſbury, who is well entitled to ſtand at the head of our hiſtorians of the twelfth century, was born in Somerſetſhire, and, on that account, is ſometimes called William Somerſet. When he was but a child (as he himſelf acquaints us), he diſcovered a fondneſs for learning, which was encouraged by his parents,

[50] Rymeri Fœd. t. 1. p. 15.

[51] Baron. Annal. tom. 12. an. 1154. M. Paris, Vita Abbat. p. 48.

and

and increaſed with his years [52]. "I applied "(ſays he) to the ſtudy of ſeveral ſciences, but "not with equal diligence. I went through a "courſe of logic, but proſecuted it no further; "with phyſic, or the art of curing diſeaſes and "preſerving health, I was at more pains; for "ethics, which lead to a good and happy life, I "had ſtill a higher veneration; but hiſtory, "which is equally pleaſant and profitable, was "my favourite ſtudy. Having, at my own "expence, procured the copies of ſome foreign "hiſtories, I then, at my leiſure, began to "enquire into the memorable tranſactions of my "own country; and not finding any ſatisfactory "hiſtory of them already written, I reſolved to "write one, not to diſplay my learning, which "is no great matter, but to bring things to light "that are covered with the rubbiſh of anti-"quity [53]." This deſign he executed with great ability and diligence, by writing a general hiſtory of England in five books, from the arrival of the Saxons, A. D. 449, to the 26th of Henry I. A. D. 1126; and a modern hiſtory in two books, from that year to the eſcape of the empreſs Maud out of Oxford, A. D. 1143; with a church-hiſtory of England in four books [54]. In all theſe hiſtorical works (which are written in a Latin ſtyle more pure than that of any of his contemporaries), he diſcovers great diligence, much

[52] W. Malmſ. Prolog. l. 11. p. 19. [53] Id. ibid.
[54] Rerum Anglicar. Script. a Hen. Savile edit. London, 1596.

good

good ſenſe, and a ſacred regard to truth, accompanied with uncommon modeſty. "I do not "(ſays he) ſet a very high value on the applauſe "of my contemporaries, which I hardly expect; "but I hope, that when both favour and male-"volence are dead, I ſhall obtain from poſterity "the character of an induſtrious, though not of "an eloquent hiſtorian [55]." This excellent perſon, to whom all the lovers of Engliſh hiſtory are ſo much indebted, ſpent his life in the humble ſtation of a monk and library-keeper in the abbey of Malmſbury, where he died. A. D. 1143 [56].

Simeon of Durham, &c.

Simeon of Durham, the contemporary of William of Malmſbury, merits a place among the hiſtorians and antiquaries of this period, for the great pains he took in collecting the monuments of our hiſtory, eſpecially in the north of England, after they had been ſcattered by the Danes in their devaſtations of that country [57]. From theſe he compoſed a hiſtory of the kings of England, from A. D. 616, to A. D. 1130, with ſome ſmaller hiſtorical pieces [58]. Simeon both ſtudied and taught the ſciences, and particularly the mathematics, at Oxford, and became precentor of the church of Durham, where he died, probably ſoon after the concluſion of his hiſtory, which was continued by John, prior of Hexham, to A. D. 1156 [59]. Richard, who ſucceeded John

[55] Prolog. ad lib. 1. [56] Cave Hiſt. Literaire, p. 661.
[57] Leland de Script. Brit. tom. 1. p. 188.
[58] Apud X Script. p. 67—256. [59] Id. p. 257—282.

in

in the government of the priory of Hexham, wrote the hiſtory of the biſhops of that church, and of four years of the reign of king Stephen, from A. D. 1135, to A. D. 1139 [60].

Ailred, abbot of Reveſby in Lincolnſhire, was born of noble parents, and educated in the court of David king of Scots, with his ſon prince Henry, who was one of the moſt ſtudious, as well as one of the braveſt princes of his age. After the death of Henry, Ailred retired into the abbey of Reveſby; and became ſo famous for his piety and learning, that he might have attained to the higheſt dignities of the church, if he had not modeſtly declined them, and contented himſelf with the government of his own abbey, where he died A. D. 1166 [61]. He left behind him many monuments of his piety and learning, beſides his hiſtorical works, for which he is introduced in this place [62]. Several of his theological treatiſes are printed among the works of his friend St. Bernard, and his hiſtorical pieces in the collection of the ten ancient hiſtorians publiſhed by ſir Roger Twyſden, London, A. D. 1652. Ailredus.

Henry of Huntington was the ſon of one Nicolas, a married prieſt, and was born about the beginning of the twelfth century, or end of the eleventh. For he acquaints us, that he was made an archdeacon by Robert Bloet biſhop of Henry of Huntingdon.

60 Apud X Script. p. 286—330.
61 Biographia Britan. vol. 1. p. 72.
62 X Script. p. 338—442.

Lincoln,

Lincoln; who died A. D. 1123[63]. He was educated by Albinus of Anjou, a learned canon of the church of Lincoln, and in his youth diſcovered a great taſte for poetry, by writing eight books of epigrams, as many of love-verſes, with three long didactic poems, one of herbs, another of ſpices, and a third of precious ſtones[64]. In his more advanced years he applied to the ſtudy of hiſtory; and at the requeſt of Alexander biſhop of Lincoln, who was his great friend and patron, he compoſed a general hiſtory of England, from the earlieſt accounts, to the death of king Stephen, A. D. 1154, in eight books[65]. In the dedication of this work to biſhop Alexander, he tells us, that in the ancient part of his hiſtory he had followed venerable Bede, adding a few things from ſome other writers; that he had compiled the ſequel from ſeveral chronicles he had found in different libraries, and from what he had heard and ſeen[66]. Towards the concluſion of this work, he very honeſtly acknowledges, that it was only an abridgement; and that to compoſe a complete hiſtory of England, many more books were neceſſary than he could procure[67]. Mr. Wharton hath publiſhed a long letter of this author to his friend Walter, abbot of Ramſay, on the contempt of the world, which

[63] Anglia Sacra, tom. 2. p. 695.

[64] Leland de Script. Britan. tom. p. 197.

[65] Vide Rerum Anglicarum Scriptores poſt Bedam a Hen. Savile edit. London, A. D. 1596. p. 169—228.

[66] Id. p. 163.

[67] Id. p. 228.

contains

contains many curious anecdotes of the kings, nobles, prelates, and other great men, who were his contemporaries [68].

Roger de Hoveden was born in Yorkſhire, moſt probably at the town of that name, now called *Howden*, ſome time in the reign of Henry I. After he had received the firſt parts of education in his native county, he ſtudied the civil and canon law; which were then become the moſt faſhionable and lucrative branches of learning [69]. He became domeſtic chaplain to Henry II. who employed him to tranſact ſeveral eccleſiaſtical affairs; in which he acquitted himſelf with honour. But his moſt meritorious work was, his annals of England, from A. D. 731, when Bede's eccleſiaſtical hiſtory ends, to A. D. 1202 [70]. This work, which is one of the moſt voluminous of our ancient hiſtories, is more valuable for the ſincerity with which it is written and the great variety of facts which it contains, than for the beauty of its ſtyle, or the regularity of its arrangement. Roger Hoveden.

William Little, who is better known by his Latin name *Gulielmus Neubrigenſis*, was born at Bridlington in Yorkſhire, A. D. 1136, and educated in the abbey of Newborough in the ſame county, where he became a monk [71]. In William Little.

[68] Anglia Sacra, tom. 2. p. 694—702.
[69] Leland de Script. Brit. l. 1. p. 229.
[70] Vid. Rerum Anglicar. a Savileo edit. p. 230—471.
[71] Hiſtoria G. Nubrigen. a T. Hearne edit. Oxon. 1719, l. 1. c. 15. p. 53. Ibid. in fine Proœmii.

his

his advanced years he compoſed a hiſtory of England in five books, from the Norman conqueſt, to A. D. 1197, which, for veracity, regularity of diſpoſition, and purity of language, is one of the moſt valuable productions of this period. In his preface to this work, he made ſome very ſevere ſtrictures on Geoffrey of Monmouth's Britiſh hiſtory, which have drawn upon him the diſpleaſure of ſeveral ancient Britons, though it cannot be denied that his ſtrictures were in general well founded, and diſcover a degree of critical diſcernment that was not very common in thoſe times.

Gervaſe of Canterbury.

Gervaſe of Canterbury, a monk of the monaſtery of Chriſt's church in that city, was one of the moſt voluminous hiſtorians of this period. His chronicle of the kings of England, from A. D. 1122 to A. D. 1200, and his hiſtory of the archbiſhops of Canterbury, from St. Auguſtine to archbiſhop Hubert, who died A. D. 1205, are his two moſt conſiderable performances of this kind, and are publiſhed, together with his ſmaller pieces, in the collection quoted below [72]. A ſtrict attention to chronology in the diſpoſition of his materials, is one of the chief excellencies of this hiſtorian.

Ralph de Diceto.

Ralph de Diceto, archdeacon of London, was the contemporary of Gervaſe, and compoſed alſo two hiſtorical works, intitled, *Abbrevationes*

[72] Hiſt. Anglican. Script. X. a R. Twiſden edit. London, 1652, fol. 1290—1683.

chroni-

chronicorum, and *Imagines hiſtoriarum*, which are publiſhed in the ſame collection [73].

Benedict, abbot of Peterborough, was educated at Oxford, became a monk in the monaſtery of Chriſt's church in Canterbury, and ſome time after was choſen prior by the members of that ſociety. Though he had been a great admirer of archbiſhop Becket, and wrote a life of that prelate, he was ſo much eſteemed by Henry II. that by the influence of that prince he was elected abbot of Peterborough, A. D. 1177 [74]. He aſſiſted at the coronation of Richard I. A. D. 1189, and was advanced to be keeper of the great ſeal A. D. 1191 [75]. But he did not long enjoy this high dignity, as he died on Michaelmas-day A. D. 1193 [76]. Beſides his life of archbiſhop Becket, he compoſed a hiſtory of Henry II. and Richard I. from A. D. 1170 to A. D. 1192; which hath been much and juſtly eſteemed by many of our greateſt antiquaries, as containing one of the beſt accounts of the tranſactions of thoſe times. A beautiful edition of this work was publiſhed at Oxford, in two volumes, by Mr. Hearne, A. D. 1735. My gratitude for the information I have received from the peruſal of the Engliſh hiſtorians of the twelfth century, who, in merit, as well as in

Benedict Abbas.

[73] Hiſt. Anglican. Script. X. a R. Twiſden. edit. London, 1652, col. 429—710.

[74] Benedictus Abbas a T. Hearne edit. Oxon. 1735, tom. 1. p. 210.

[75] Id. Ibid. p. 556. 714.

[76] Roberti Swaphami Hiſt. Cœnob. Burgen. a Joſepho Sparki edit. London, 1723, p. 103.

number,

number, are ſuperior to thoſe of any other nation of Europe, in that period, is in danger of making me forget the proportion that muſt be obſerved in the ſeveral parts of this work, or neglect thoſe who were the chief ornaments of their country in other branches of learning.

John of Saliſbury.

John of Saliſbury was born at Old Sarum, from which he derived his name, about A. D. 1116. For, according to his own account, after he had gone through a courſe of education in England, he went to the univerſity of Paris, for his further improvement, A. D. 1136, at which time, it is probable, he was at leaſt twenty years of age[77]. In this famous ſeat of learning he ſpent no fewer than twelve years, attending the lectures of the moſt celebrated profeſſors of the ſeveral ſciences, particularly grammar, rhetoric, the Ariſtotelian philoſophy, and theology[78]. At his return into England he ſtudied the civil law under Vacarius, who taught with great applauſe at Oxford, A. D. 1149[79]. By this long and ardent application to ſtudy, under the beſt maſters, he acquired a prodigious fund of knowledge, and became one of the moſt learned men of the age in which he flouriſhed. Embracing the monaſtic life at Canterbury, he was the boſom-friend and chief confident of two ſucceſſive archbiſhops of that ſee, Theobald and

77 J. Sariſburien. Metalog. l. 2. c. 10. p. 802. 78 Id. Ibid.
79 J. Sariſburien. Policraticon, l. 8. c. 22. p. 672. Seldeni Diſſertat. in Fleta, c. 7. ſect. 3.

Thomas

Thomas Becket [80]. To the laſt of theſe, while he was chancellor of England, our author dedicated his famous work, *De nugis curialium, et veſtigiis philoſophorum* (of the fopperies of courtiers, and the footſteps of philoſophers), in an elegant Latin poem, containing ſome of the politeſt compliments to his patron. This work is indeed the moſt curious and valuable monument of the Engliſh literature of the twelfth century; and it is impoſſible to peruſe it without admiring the virtue and good ſenſe, as well as the genius and erudition of its author [81]. His connection with archbiſhop Becket involved him in many troubles; and he was the very firſt perſon baniſhed out of England by Henry II. A. D. 1164, for his attachment to that prelate [82]. He continued almoſt ſeven years in exile, though he had the moſt inviting offers made him, not only of leave to return home, but alſo of the royal favour and preferment, if he would abandon the party of the archbiſhop. But to this he never would conſent, declaring his reſolution to die in exile, rather than forſake his friend and patron in his adverſity; though he was far from approving of his conduct in every particular [83]. His friendſhip for Becket was as active as it was ſteady, and prompted him to undertake no fewer than

[80] Bulæi Hiſt. Univerſ. Pariſien. tom. 2. p. 751.

[81] Vid. J. Sariſburien. Polycraticon, ſive de Nugis Curialium et Veſtigiis Philoſophorum, lib. oct. Impreſſ. Lugduni Batavorum, 1639. [82] Epiſt. S. Thomæ Cant. Ep. 2. l. 1. p. 8.

[83] Id. ibid. p. 137. 320.

ten journies into Italy, beſides many others into different parts of France, in negotiating his affairs[84]. At length he obtained permiſſion to return into England a little before the archbiſhop, A. D. 1171, and was a mournful ſpectator of the murder of his beloved friend and patron[85]. In the time of his exile our author had gained the favour of many perſons of the higheſt rank, particularly of pope Alexander III. of the king of France, and of the archbiſhop of Sens, by whoſe intereſt he was elected biſhop of Chartres in that province, A. D. 1172[86]. Having enjoyed this dignity almoſt ten years, he died A. D. 1182. John of Saliſbury compoſed many other works, beſides that already mentioned, particularly a very learned defence of grammar, rhetoric, and logic, againſt one whom he calls *Cornificius*, which contains a moſt curious account of the ſtate of theſe ſciences in this period[87]. A collection of his letters, conſiſting of above three hundred, with a life of Thomas Becket, were publiſhed at Paris, A. D. 1611.

Peter of Blois.

Peter of Blois (Petrus Bleſenſis) was born about A. D. 1120, at the city of Blois in France, from whence he derived his name. His parents, being opulent, gave him a learned education[88].

[84] J. Sariſburien. Metalog. l. 3. init. p. 838.

[85] Epiſt. S. Thomæ, l. 5. Ep. 64.

[86] Bulæi Hiſt. Univerſ. Pariſ. tom. 2. p. 394.

[87] Vid. J. Sariſburienſ. Metalog. lib. Quart. Impreſſ. Lugduni Batav. 1639.

[88] Epiſt. P. Bleſen. Ep. 90. 93.

In

In his youth, when he ſtudied in the univerſity of Paris, he was exceſſively fond of poetry; and when he was a little further advanced in life, he became no leſs fond of rhetoric, to the ſtudy of which he applied with the greateſt ardour [89]. From Paris he removed to Bononia in Italy, to acquire the civil and canon law, in the knowledge of both which he very much excelled [90]. He appears from his writings to have cultivated medicine, and ſeveral branches of the mathematics, with no little care and ſucceſs [91]. The ſtudy of theology was the chief delight and buſineſs of his life, in which he ſpent the greateſt part of his time, and made the greateſt progreſs. But unfortunately it was that ſcholaſtic theology, which conſiſted in vain attempts to prove and explain the many abſurd opinions which then prevailed in the church, by the ſubtilties of Ariſtotelian logic [92]. In attempting to explain in this manner the moſt abſurd of all opinions that ever exiſted amongſt mankind, he was the very firſt perſon who employed the famous word *tranſubſtantiation*, which was ſoon after adopted by the church of Rome, and hath ever ſince made ſo great a noiſe [93]. Being appointed preceptor to William II. king of Sicily, A. D. 1167, he obtained the cuſtody of the privy ſeal; and next to the archbiſhop of Palermo, the prime miniſter, had the greateſt influence in all

89 Epiſt. P. Bleſenſis Ep. 76. 26. 90 Ep. 6 8.
91 Ep. 43. 92 Ep 140. 93 Id. ibid.

affairs [94]. But his power was not of long duration; for the archbiſhop being baniſhed, A. D. 1168, our author ſoon after left the court of Sicily, and returned into France. He was not long, however, without a royal patron, being invited into England by Henry II. who employed him as his private ſecretary, made him archdeacon of Bath, and gave him ſome other benefices [95]. When he had ſpent a few years at court, he conceived a diſguſt at that way of life (of which he hath drawn a very unpleaſing picture in one of his letters), and retired into the family of Richard archbiſhop of Canterbury, who made him his chancellor about A. D. 1176 [96]. In this ſtation he continued to the death of the archbiſhop, A. D. 1183, enjoying the higheſt degree of favour with that prelate, though he uſed much freedom in reproving him for his remiſſneſs in the government of the church [97]. Our author remained in the ſame ſtation in the family of archbiſhop Baldwin, who ſucceeded Richard, acting both as his ſecretary and chancellor. He was alſo ſent by that prelate on an embaſſy to Rome, A. D. 1187, to plead his cauſe before pope Urban III. in the famous controverſy between him and the monks of Canterbury, about the church of Hackington [98]. After the departure of his friend and patron Baldwin for the Holy Land, A. D. 1190, our author was

[94] Epiſt. P. Bleſenſ. Ep. 131. [95] Ep. 149.
[96] Ep. 14. 38. 130. [97] Ep. 5.
[98] Gervas Chron. col. 1498, 1499.

involved

involved in various troubles in his old age, the cauſes of which are not diſtinctly known, and died about the end of the twelfth century. He appears from his works, which may be juſtly reckoned among the moſt valuable monuments of the age in which he flouriſhed, to have been a man of great integrity and ſincere piety, as well as of a lively inventive genius, and uncommon erudition. His printed works conſiſt of one hundred and thirty-four letters, which he collected together at the deſire of Henry II.; of ſixty-five ſermons, delivered on various occaſions; and of ſeventeen tracts on different ſubjects[99]. Of the quickneſs of our author's invention, a very remarkable example hath been already mentioned; and whoever will give themſelves the trouble to peruſe his works, will meet with many proofs of his erudition[100].

Girald Barry. Girald Barry, commonly called *Giraldus Cambrenſis, i. e.* Girald of Wales, was born at the caſtle of Mainarper, near Pembroke, A. D. 1146[101]. By his mother he was deſcended from the princes of South Wales; and his father, William Barry, was one of the chief men of that principality. Being a younger brother, and intended for the church, he was ſent to St. David's, and educated in the family of his uncle, who was biſhop of that ſee. He ackowledges, in his

[99] Vid. Opera P. Bleſenſ. Pariſiis edit. A. D. 1667.

[100] See ſect. 1 of this chap. p. 91.

[101] Præfat. ad Ang. Sacr. tom. 2. p. 20. Id. p. 466.

hiſtory of his own life and actions, that in his early youth he was too playful; but being ſeverely reproached for it by his preceptors, he became a very hard ſtudent, and greatly excelled all his ſchool-fellows in learning[102]. When he was about twenty years of age, he was ſent, A. D. 1166, for his further improvement, to the univerſity of Paris; where he continued three years, and became, according to his own account, a moſt excellent rhetorician; which rendered him very famous[103]. On his return into Britain, he entered into holy orders, and obtained ſeveral benefices both in England and Wales. Obſerving, with much concern, that his countrymen, the Welſh, were very backward in paying the tithes of wool and cheeſe, which he was afraid would involve them in eternal damnation, he applied to Richard archbiſhop of Canterbury, and was appointed his legate in Wales for rectifying that diſorder, and for other purpoſes. He executed this commiſſion with great ſpirit, excommunicating all without diſtinction, who refuſed to ſave their ſouls, by ſurrendering the tithes of their cheeſe and wool[104]. Not ſatisfied with enriching, he alſo attempted to reform the clergy, and dilated the archdeacon of Brechin to the archbiſhop, for the unpardonable crime of matrimony; and the poor old man refuſing to put away his wife, was

[102] Girald. Cambren. de Rebus a ſe geſtis, l. 1. c. 2. apud Angl. Sacr. tom. 2. p. 467. [103] Id. ibid.

[104] Id. ibid. c. 3. p. 468.

deprived

deprived of his archdeaconry; which was beſtowed upon our zealous legate[105]. In diſcharging the duties of this new office, he acted with great vigour, which involved him in many quarrels; but, if we may believe himſelf, he was always in the right, and always victorious. His uncle, the biſhop of St. David's, dying A. D. 1176, he was elected his ſucceſſor by the chapter: but this election having been made without the permiſſion, and contrary to the inclination of Henry II. our author prudently declined to inſiſt upon it, and went again to Paris to proſecute his ſtudies, particularly in the civil and canon law and theology[106]. He ſpeaks with great raptures of the prodigious fame he acquired by his eloquent declamations in the ſchools, and of the crowded audiences who attended them, who were at a loſs to know whether the ſweetneſs of his voice, the beauty of his language, or the irreſiſtible force of his arguments, were moſt to be admired[107]. Having ſpent about four years at Paris, he returned to St. David's; where he found every thing in confuſion; and the biſhop being expelled by the people, he was appointed adminiſtrator by the archbiſhop of Canterbury, and governed the dioceſs in that capacity to A. D. 1184, when the biſhop was reſtored[108]. About the ſame time he was called to court by

[105] Girald. Cambren. de Rebus a ſe geſtis, l. 1. c. 4, 5, 6.
[106] Id. ibid. l. 1. c. 9, 10, 11. l. 2. c. 1.
[107] Ibid. l. 2. c. 1, 2.
[108] Ibid. c. 6, 7.

Henry II. appointed one of his chaplains, and ſent into Ireland A. D. 1185, with prince John [109]. By this prince he was offered the united biſhoprics of Fernes and Leighlin; but declined them, and employed his time in collecting materials for his topography of Ireland, and his hiſtory of the conqueſt of that iſland. Having finiſhed his topography, which conſiſted of three books, he publiſhed it at Oxford A. D. 1187, in the following manner, in three days. On the firſt day he read the firſt book to a great concourſe of people, and afterwards entertained all the poor of the town; on the ſecond day he read the ſecond book, and entertained all the doctors and chief ſcholars; and, on the third day, he read the third book, and entertained the younger ſcholars, ſoldiers, and burgeſſes [110]. "A moſt "glorious ſpectacle! (ſays he) which revived "the ancient times of the poets, and of which "no example had been ſeen in England." He attended Baldwin archbiſhop of Canterbury, in his progreſs through Wales, A. D. 1186, in preaching a croiſade for the recovery of the Holy Land; in which, he tells us, he was far more ſucceſsful than the primate; and particularly, that the people were prodigiouſly affected with his Latin ſermons, which they did not underſtand, melting into tears, and coming in crowds to take the croſs [111]. Although Henry II.

[109] Girald. Cambren. de Rebus a ſe geſtis, l. 1. c. 8. 10.
[110] Ibid. c. 16. [111] Ibid. c. 18.

as

as our author aſſures us, entertained the higheſt opinion of his virtues and abilities; yet he never would advance him to any higher dignity in the church, on account of his relation to the princes and great men of Wales. But on the acceſſion of Richard I. A. D. 1189, his proſpects of preferment became better; for he was ſent by that prince into Wales to preſerve the peace of that country, and was even joined in commiſſion with William Longchamp, biſhop of Ely, as one of the regents of the kingdom [112]. He did not, however, improve this favourable opportunity; refuſing the biſhopric of Bangor in A. D. 1190, and that of Landaff, the year after, having fixed his heart on the ſee of St. David's, the biſhop of which was very old and infirm [113]. In A. D. 1192, the ſtate of public affairs, and the courſe of intereſt at court, became ſo unfavourable to our author's views, that he determined to retire. At firſt he reſolved to return to Paris, to proſecute his ſtudies; but meeting with ſome difficulties in this, he went to Lincoln; where William de Monte read lectures in theology with great applauſe [114]. Here he ſpent about ſix years in the ſtudy of divinity, and in compoſing ſeveral works. The ſee of St. David's, which had long been the great object of his ambition, became vacant A. D. 1198, and brought him again upon the ſtage. He was unanimouſly

[112] Girald. Cambren. de Rebus a ſe geſtis, l. 1. c. 21. p. 495.
[113] Ibid. c. 22. 24. [114] Ibid. l. 3. c. 3.

elected

elected by the chapter; but met with ſo powerful an adverſary in Hubert archbiſhop of Canterbury (who oppoſed his promotion with great violence), that it involved him in a litigation, which laſted five years, coſt him three journies to Rome, at a great expence, and in which he was at laſt defeated, A. D. 1203[115]. Soon after this he retired from the world, and ſpent the laſt ſeventeen years of his life in a ſtudious privacy, compoſing many books of which we have a very correct catalogue in the work quoted below[116]. That Girald of Wales was a man of uncommon activity, genius, and learning, is undeniable; but theſe and his other good qualities were much tarniſhed by his inſufferable vanity, which muſt have been very offenſive to his contemporaries, as it is highly diſguſting to his readers.

Many other men of genius and erudition flouriſhed in Britain in this period; but, to give a full account of them, belongs rather to the biographer than to the general hiſtorian.

[115] Girald. Cambren. de Rebus a ſe geſtis, l. 3. c. 4—19.
[116] Biographia Britannica, vol. 1. p. 512.

SECTION III.

History of the chief Seminaries of Learning in Great Britain, from A. D. 1166, *to* A. D. 1216.

ONE cauſe of the improvements in the ſciences which took place in this period, was the increaſe of ſeminaries of learning. Theſe may be divided into five claſſes, viz. 1. General ſtudies or univerſities; 2. Epiſcopal or cathedral ſchools; 3. Monaſtic or conventual ſchools; 4. The ſchools of cities and towns; and, 5. The ſchools of the Jews. Of each of theſe claſſes we ſhall give a brief account. Different kinds of ſchools.

That thoſe ſeats of learning which are now called *univerſities*, were anciently called *ſtudies*, is well known; as, the ſtudy of Oxford, the ſtudy of Paris, &c[1]. But about the end of the twelfth or beginning of the thirteenth century, the modern name ſeems generally to have prevailed, either becauſe all kinds of learning were taught in them, and ſtudents of all countries were welcome to them, or becauſe they were formed into legal communities, which, in the Latin of thoſe times, were called *univerſitates*[2]. Of ſuch univerſities there were only two in Britain, Oxford and Cambridge. Univerſities.

[1] J. Brompt. Chron. col. 814.
[2] A. Wood, Hiſt. Univerſ. Oxon, p. 18.

The

Oxford. The ſtate of public affairs was ſo unſettled for a conſiderable time, both before and after the conqueſt, and the city of Oxford in particular ſuffered ſo much, firſt from the Danes, and afterwards from the Normans, that it could not be in a flouriſhing condition as a ſeat of learning [3]. From Doomſday-book we find, that A. D. 1086 there were no fewer than five hundred and twenty-two ruinous or empty houſes in Oxford, and only two hundred and forty-three inhabited. It hath been warmly agitated, whether the Conqueror's youngeſt ſon, afterwards Henry I. was educated at Oxford or Cambridge, without ſatisfactory evidence on either ſide [4]. That he built a palace, and ſometimes reſided, in the firſt of theſe places, is better atteſted [5]. It is alſo ſaid, that Robert White, of whom an account hath been already given, taught with great reputation at Oxford in the reign of that learned prince [6]. But this ſeat of the muſes was taken by ſtorm, and reduced to aſhes, A. D. 1141, by King Stephen; which diſperſed both teachers and ſcholars. In a little time, however, they returned to their favourite reſidence; which, before the end of that reign, became famous for the ſtudy of the civil law [7]. This univerſity became ſtill more flouriſhing in the reign of Henry II. who was a learned prince, and a great patron of

3 A. Wood, Hiſt. Univerſ. Oxon. p 42—46.
4 Id. p. 46. col. 2. J. Caius in Antiq. Cantab. p. 97.
5 A. Wood, Hiſt. Univerſ. Oxon. p. 49.
6 Id. Ibid. 7 Id. p. 52.

learning;

learning; though a great part of the city, and ſeveral ſchools or halls, were deſtroyed by an accidental fire A. D. 1190[8]. Before that time the houſes and halls of Oxford had been built of wood, and covered with ſtraw; but after this fire, many of them were built of ſtone, and covered with tiles or lead. As Richard I. had been born at Oxford, he ſtill retained an affection for it, and granted it ſo many privileges, that, in his reign, it became a rival to the univerſity of Paris[9]. In the reign of king John, when the univerſity was in a proſperous ſtate, an unfortunate event happened, A. D. 1209, which threatened it with deſtruction. A ſcholar, engaged in his diverſion, accidentally killed a woman, and made his eſcape, for fear of puniſhment. A prodigious mob, with the mayor of the city at their head, immediately aſſembled, and ſurrounded the hall to which the unfortunate ſcholar belonged; and not finding him, ſeized and impriſoned other three, who were entirely innocent, and obtained an order from king John, who hated the clergy, to put them to death; which was executed without delay. The greateſt part of the profeſſors and ſcholars, enraged at this act of cruelty and injuſtice, abandoned Oxford to the number of three thouſand, and retired, ſome to Cambridge, ſome to Reading, and ſome to Maidſtone in Kent. They complained alſo to

[8] A. Wood. Hiſt. Univerſ. Oxon. p. 57.
[9] Bulæi Hiſt. Univerſ. Pariſienſ. tom. 2. p. 544, &c.

the

the pope, and obtained a bull, laying the city under an interdict, and diſcharging all profeſſors from teaching in it. Their ſuperſtitious terrors and ſecular loſſes ſoon brought the people of Oxford to repent of the cruelty they had committed; and they ſent a deputation of their moſt reſpectable citizens to Nicolas biſhop of Tuſculum, the pope's legate, to make their ſubmiſſions, and promiſe obedience to all his commands. In conſequence of this the legate iſſued a bull, dated at Ramſey, 26th June A. D. 1214, ſuſpending thoſe profeſſors who had not left Oxford, from teaching for three years; preſcribing the moſt humiliating penances to the inhabitants, and ſtipulating many advantages for the members of the univerſity; and obliged the mayor, with fifty of the chief citizens, to take a ſolemn oath, in the name of all the reſt, that they would comply with every article in that bull. When all theſe preliminaries were ſettled, the profeſſors and ſcholars returned in ſuch multitudes, and were ſo joyfully received by the citizens, that the univerſity became more flouriſhing than it had ever been; and at the concluſion of this period conſiſted of about four thouſand members [10].

Cambridge. Cambridge ſuffered ſtill more than Oxford, both from the Danes before, and the Normans after the conqueſt; and ſeems to have been longer and more entirely deſerted as a ſeat of learning [11].

[10] Wood, Hiſt. Ant. Univerſ. Oxon, p. 60, 61.

[11] J. Brompt. Chron. col. 887, 888. Chron. Saxon. p. 140.

This appears from the following diſtinct account of its revival, given by a writer of undoubted credit: "Joffrid, abbot of Croyland, A. D. "1109, ſent to his manor of Cottenham, near "Cambridge, maſter Giſlebert, his fellow-monk, "and profeſſor of theology, with three other "monks who had followed him into England; "who being very well inſtructed in philoſophical "theorems, and other ancient ſciences, went "every day to Cambridge; and having hired a "certain public barn, taught the ſciences "openly, and in a little time collected a great "concourſe of ſcholars. For in the very ſecond "year after their arrival, the number of their "ſcholars from the town and country increaſed "ſo much, that there was no houſe, barn, nor "church, capable of containing them. For "this reaſon they ſeparated into different parts "of the town, and imitating the plan of Or-"leans, brother Odo, a famous grammarian and "ſatiriſt of thoſe times, read grammar, accord-"ing to the doctrine of Priſcian, and Remigius "upon him, to the boys and younger ſtudents "aſſigned to him, early in the morning. At "one o'clock brother Terricus, an acute ſo-"phiſt, read Ariſtotle's logics, according to the "introductions and commentaries of Porphyry "and Averrois, to thoſe who were further ad-"vanced. At three, brother William read lec-"tures on Tully's rhetoric and Quintilian's in-"ſtitutions. But maſter Giſlebert, being ig-"norant of the Engliſh, but very expert in the "Latin

" Latin and French languages, preached in the " ſeveral churches to the people on Sundays and " holidays.——From this little fountain, which " hath ſwelled into a great river, we now behold " the city of God made glad, and all England " rendered fruitful, by many teachers and doc- " tors iſſuing from Cambridge, as from a moſt " holy paradiſe [12]." This laſt obſervation ſhews, that the univerſity of Cambridge, after its revival by thoſe learned monks in the beginning of the twelfth century, made ſuch rapid progreſs that, before the end of that century, when Peter of Blois wrote, it had attained to a very flouriſhing condition. The town, and conſequently the univerſity, ſuffered much in the civil war between king John and his barons, having been taken and plundered by both parties, A. D. 1215 [13].

Paris. So many of the ingenious youth of Britain, in this period, finiſhed their education in the univerſity of Paris, that it merits a little of our attention, though not ſtrictly within our plan [14]. It was unqueſtionably the moſt celebrated ſeat of learning in Europe in thoſe times, and was called by way of eminence, *The city of letters* [15]. All who excelled as teachers, or wiſhed to improve as ſtudents, crowded to Paris, as the moſt proper place for diſplaying or acquiring talents. In the

[12] P. Bleſenſ. Continuatio Hiſt. Ingulph. ann. 1109. p. 114, 115.
[13] Fuller's Hiſt. Camb. p. 8.
[14] Bulæi Hiſt. Univerſ. Pariſien. l. 11. p. 299.
[15] Id. ibid. p. 253. Hiſtoire Literaire de la France, tom. 9. p. 78.

twelfth

twelfth century we are aſſured, that the ſtudents in the univerſity conſtituted one half of the inhabitants of that city [16]. The Engliſh in particular, were ſo numerous, that they occupied ſeveral ſchools or colleges; and made ſo diſtinguiſhed a figure by their genius and learning, as well as by their generous manner of living, that they attracted the notice of all ſtrangers. This appears from the following verſes, deſcribing the behaviour of a ſtranger on his firſt arrival in Paris, compoſed by Negel Wircker, an Engliſh ſtudent there, A. D. 1170.

Pexus et ablutus tandem progreſſus in urbem,
Intrat in eccleſiam, vota preceſque facit.
Inde ſcholas adiens, ſecum deliberat, utrum
Expediat potius illa vel iſta ſchola.
Et quia ſubtiles ſenſu conſiderat Anglos,
Pluribus ex cauſis ſe ſociavit iis.
Moribus egregii, verbo vultuque venuſti,
Ingenio pollent, conſilioque vigent.
Dona pluunt populis, et deteſtantur avaros,
Fercula multiplicant, et ſine lege bibunt [17].

The ſtranger dreſs'd, the city firſt ſurveys,
A church he enters, to his God he prays.
Next to the ſchools he haſtens, each he views,
With care examines, anxious which to chuſe.
The Engliſh moſt attract his prying eyes,
Their manners, words, and looks, pronounce them wiſe.
Theirs is the open hand, the bounteous mind,
Theirs ſolid ſenſe, with ſparkling wit combin'd.
Their graver ſtudies jovial banquets crown,
Their rankling cares in flowing bowls they drown.

16 Hiſtoire Literaire de la France, tom. 9. p. 663.
17 A. Wood, Antiq. Oxon. p. 55.

Advantages of univerſities.

Theſe general ſtudies or univerſities, as Paris, Oxford, Cambridge, Bologna, &c. poſſeſſed ſeveral advantages, which attracted greater numbers of ſtudents to them than to other ſeats of learning. They had not only the beſt libraries, and moſt famous profeſſors in all the ſciences, but being incorporated ſocieties, they were governed by their own magiſtrates, and enjoyed ſeveral peculiar privileges, particularly that of conferring academical honours or degrees. Theſe were introduced in the courſe of this period, and ſoon became great objects of ambition, and incitements to learning [18].

Cathedral ſchools.

In the darkeſt of the middle ages, the families of biſhops were the chief ſeminaries of learning, in which young perſons were educated for the ſervice of the church [19]. Theſe epiſcopal or cathedral ſchools ſtill continued in this period. They were even better regulated, and conſequently more uſeful and more famous. In the moſt ancient times, the biſhop was commonly the chief, if not the only teacher, of his cathedral ſchool; the faithful diſcharge of which laborious office was hardly compatible with the other duties of his function [20]. But in this period theſe ſchools were put under the direction of men of learning, who devoted their whole time and ſtudy to the education of youth, and had certain eſtates or prebends aſſigned for their

[18] Hiſtoire Literaire de la France, tom. 9. p. 80—84.
[19] Bulæi Hiſt. Univerſ. Pariſ. tom. 1. p. 151, 152.
[20] Id. ibid.

ſupport.

ſupport. Theſe teachers of the cathedral ſchools were called *The ſcholaſtics of the dioceſs*; and all the youth in it who were deſigned for the church were intitled to the benefit of their inſtructions [21]. Thus, for example, William de Monte, who had been a profeſſor at Paris, and taught theology with ſo much reputation, in the reign of Henry II. at Lincoln, was the ſcholaſtic of that cathedral [22]. By the eighteenth canon of the third general council of Lateran, A. D. 1179, it was decreed, that ſuch ſcholaſtics ſhould be ſettled in all cathedrals, with ſufficient revenues for their ſupport; and that they ſhould have authority to ſuperintend all the ſchoolmaſters of the dioceſs, and grant them licences, without which none ſhould preſume to teach [23]. The laborious authors of the literary hiſtory of France, have collected a very diſtinct account of the ſcholaſtics who preſided in the principal cathedral ſchools of that kingdom in the twelfth century, among whom we meet with many of the moſt illuſtrious names for learning of that age [24]. To attempt this with reſpect to England, would be quite unſuitable to the nature of general hiſtory. The ſciences that were taught in theſe cathedral ſchools, were ſuch as were moſt neceſſary to qualify their pupils for performing the duties of the ſacerdotal office, as

[21] Du Cange Gloſs. voc. *Scholaſticus.*

[22] Girald. Cambrenſ. de Rebus a ſe geſtis, l. 3. c. 3. apud Ang. Sac. tom. 2. p. 499.

[23] Concil. tom. 10. p. 1518. c. 18.

[24] Hiſtoire Literaire de la France, tom. 9. p. 31—64.

grammar, rhetoric, logic, theology, and church-muſic.

Conventual ſchools.

The great increaſe of religious houſes in this period, very much increaſed the number of ſeminaries of learning, as there was a ſchool more or leſs famous in almoſt every convent [25]. We may form ſome idea of the number added to the ſchools of England by this means, if we conſider, that there were no fewer than five hundred and fifty-ſeven religious houſes of different kinds founded in it between the conqueſt and the death of king John [26]. One deſign of theſe monaſtic ſchools was, to inſtruct the younger monks in thoſe branches of learning that were neceſſary to their decent performance of the ſervice of the church, particularly in the Latin language and church-muſic. Some degree of knowledge of theſe parts of learning was ſo neceſſary, that without it none could be admitted into the monaſtic order in any of the chief abbeys; and the famous Nicolas Breakſpear, afterwards pope Adrian IV. was rejected by Richard abbot of St. Alban's, for want of a ſufficient ſhare of learning [27]. In theſe conventual ſchools the young monks were carefully inſtructed in the art of fair and beautiful writing; and thoſe who excelled in that art, were for ſome years employed in the *ſcriptorium*, or writing-chamber, in

25 Hiſtoire Literaire de la France, tom. 9. p. 92—132.
26 See Preface to Tanner's *Notitia Monaſtica*.
27 M. Paris, Vit. Abbat. St. Albani, p. 45. col. 2.

tranſcrib-

tranſcribing books for the uſe of the church and library [28]. There were ſuch ſchools alſo in nunneries for the inſtruction of the younger nuns; and in ſome of theſe ſchools they did not confine themſelves to ſuch parts of learning as were abſolutely neceſſary, but ſtudied alſo the Greek and Hebrew languages, philoſophy, phyſic, and divinity [29]. In the ſchools of all the larger monaſteries, beſides the neceſſary parts of learning, ſeveral other ſciences were taught, as rhetoric, logic, theology, medicine, with the civil and canon law. Theſe two laſt branches of learning, law and phyſic, being very lucrative, were ſo diligently ſtudied and practiſed by the monks, that they were almoſt the only pleaders and phyſicians of thoſe times. The abbey ſchool of St. Alban's, for example, was a famous ſeminary of learning in this period, in which all the ſciences, particularly theology, law, and phyſic, were taught; as appears from the verſes of Alexander Neicham, one of the moſt learned men of the twelfth century, who was educated, and afterwards preſided, in that ſchool. They were addreſſed to his friend Germunde, abbot of Gloceſter, and may be ſeen below [30]. Many perſons

[28] M. Paris, Vit. Abbat. St. Albani, p. 32. col. 2.

[29] Hiſtoire Literaire de la France, tom. 9. p. 127—132.

[30] Quod ſi forte foras claudat tibi Claudia, clauſtrum
Martyris Albani ſit tibi tuta quies.
Hic locus ætatis noſtræ primordia novit,
Annos felices, lætitiæque dies.
Hic locus ingenuis pueriles imbuit annos
Artibus, et noſtræ laudis origo fuit.

ſons of rank and fortune were educated in theſe conventual ſchools, to which they frequently became benefactors [31].

Schools in towns and cities.

Beſides all theſe ſeminaries of learning already mentioned, there were eſtabliſhed in this period, in all the chief cities and towns of England, a kind of illuſtrious ſchools, in which the youth were inſtructed not only in reading, writing, and grammar, but alſo in ſeveral other branches of learning, as rhetoric, logic, &c. We are told by William Fitz-Stephens, who flouriſhed in the reign of Henry II. that there were three of theſe illuſtrious ſchools in London, firmly eſtabliſhed; beſides ſeveral others that were occaſionally opened by ſuch maſters as had obtained a high reputation for their learning [32]. "On holidays "(ſays he) it is uſual for theſe ſchools to hold "public aſſemblies in the churches, in which "the ſcholars engage in demonſtrative or lo- "gical diſputations, ſome uſing enthymems, "and others perfect ſyllogiſms; ſome aiming "at nothing but to gain the victory, and make "an oſtentatious diſplay of their acuteneſs, "while others have the inveſtigation of truth "in view. Artful ſophiſts, on theſe occaſions, "acquire

Hic artes didici, docuique fideliter; inde
Acceſſit ſtudio lectio ſacra meo.
Audivi canones, Hippocratem cum Galieno,
Jus civile mihi diſplicuiſſe neges.
Leland de Script. Brit. t. 1. p. 240.

[31] Hiſtoria Ramſienſ. chap. 67. p. 430.

[32] W. Stephanid. Deſcript. Civitat. London. edit. Oxon. 1723, a Joſ. Sparke, p. 4.

" acquire great applauſe; ſome by a prodigious " inundation and flow of words, others by their " ſpecious but fallacious arguments. After the " diſputations, other ſcholars deliver rhetorical " declamations, in which they obſerve all the " rules of art, and neglect no topic of perſua- " ſion. Even the younger boys in the different " ſchools, contend againſt each other in verſe, " about the principles of grammar, and the " preterites and ſupines of verbs [33]." There was, about the ſame time, a very famous academy in the town of St. Alban's (beſides that in the abbey), under the government of Matthew a phyſician, who had been educated at Salernum, and of his nephew Garinus, who excelled in the knowledge of the civil and canon law. Of this academy Matthew Paris affirms, " That there was " hardly a ſchool in all England, at that time, more " fruitful or more famous, either for the number " or proficiency of its ſcholars [34]." This plainly intimates, that there were many ſchools of the ſame kind in England; which is further evident from the laſt canon of the council of Weſtminſter, A. D. 1138, prohibiting the ſcholaſtics of cathedral churches from taking money for granting licences to the teachers of the ſchools in the ſeveral towns and villages [35].

[33] W. Stephanid. Deſcript. Civitat. London, Edit. Oxon. 1723, a Joſ. Sparke, p. 4.
[34] M. Paris, Vit. Abbat. St. Alban, p. 62. col. 1.
[35] J. Brompt. Chron. p. 1348.

Jewiſh Schools.

That prodigious numbers of Jews crowded into England ſoon after the conqueſt, and reſided in all its principal towns for ſome ages, is atteſted by all the hiſtorians of thoſe times. Their numbers and riches were indeed ſo great, and the revenues derived from them by government ſo conſiderable, that (as we have already ſeen) a particular exchequer was appointed for their reception [36]. Among theſe Jews there were many rabbies, and men of learning, who officiated as prieſts in their ſynagogues, and profeſſors in their ſchools, which they had in London, York, Lincoln, Linn, Norwich, Oxford, Cambridge, and every other town where any conſiderable number of them reſided [37]. For though the ſciences had been much neglected by the Jews for five or ſix centuries, they were cultivated by them in the twelfth with ſurpriſing ardour, and many of their rabbies of that age made a diſtinguiſhed figure in the world of letters [38]. In their ſchools, beſides the rites of their religion, they taught the Hebrew and Arabic languages, arithmetic, for which they had much uſe in their money-tranſactions; and medicine, by which many of them acquired both riches and reputation [39]. Nor were the academies of the Jewiſh rabbies ſhut againſt the Chriſ-

36 Madox. Hiſt. Exchcq. p. 150—173.

37 M. Paris, p. 596. A. Wood, Antiq. Oxon. p. 4. 6. Gul. Newbrigenſ. l. 4. c 7. p. 368. c. 10. p. 379.

38 Hiſtoire Literaire de la France, tom. 9. p. 132, &c.

39 Id. ibid.

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tian youth, but open to all who choſe to take the benefit of their inſtructions.

From this brief account of the ſeminaries of learning eſtabliſhed in Britain in the period we are now examining, it is abundantly evident, that the general *ignorance* of the laity was owing rather to the taſte and manners of the times, than to the want of opportunities of acquiring at leaſt a moderate degree of knowledge. But the truth ſeems to be, that this *ignorance* prevailed moſt amongſt thoſe in the higheſt and thoſe in the loweſt ranks of life; which was occaſioned by the extreme diſſipation of the former, who ſpent almoſt all their time, when they were not engaged in war, in rural diverſions or domeſtic riots; and by the no leſs extreme depreſſion of the latter, who were doomed to perpetual ſervitude and hard labour. For it is well known, that theſe two extremes are equally unfriendly to intellectual purſuits.

THE

HISTORY

OF

GREAT BRITAIN.

BOOK III.

CHAP. V.

History of the Arts in Great Britain, from the landing of William duke of Normandy, A. D. 1066, *to the death of king John,* A. D. 1216.

The arts improved in this period.

THE arts and ſciences are ſo nearly connected, and have ſo great an influence upon one another, that they commonly flouriſh or decline together. In the preceding chapter we have ſeen, that the circle of the ſciences was enlarged, and that ſome of them were cultivated with greater care and ſucceſs in this than they had been in the former period. In this chapter we ſhall perceive that a ſimilar improvement took place at the ſame time, both in the neceſſary and pleaſing arts, of which we ſhall give a plain and ſuccinct account in two ſections.

SECTION I.

Hiſtory of the neceſſary Arts in Britain, from A. D. 1066, *to* A. D. 1216.

What are neceſſary arts.

BY the neceſſary arts we underſtand ſuch as are employed in procuring nouriſhment, lodging, clothing, and defence, which are juſtly eſteemed neceſſary to the preſervation and comfortable enjoyment of human life. Of this kind are, agriculture, architecture, the clothing arts, and thoſe of defenſive and offenſive war, together with the various arts that are neceſſary to their operations. It is true indeed, that architecture and the clothing arts, after they have paſſed a certain point of perfection, may be termed ornamental rather than neceſſary. But as it is impoſſible to fix that point; and as their primary object was to adminiſter to our neceſſities, there can be no great impropriety in arranging them, in every period of this work, under the diviſion of neceſſary arts. On the other hand, ſome arts, as thoſe of catching beaſts and birds, which, in the infancy of ſociety, were of all others the moſt neceſſary, in a more advanced period become the favourite amuſements of the great, and are prohibited to the common people. Theſe therefore in this and the ſucceeding periods of this work,

are to be omitted in the hiſtory of arts, and introduced only in the article of diverſions.

Though paſturage and fiſhing were exerciſed as neceſſary arts in this as in every other period, we know of no important improvement that was made in either of them that merits a place in hiſtory. Thoſe who exerciſed them were in general of ſervile condition, and were transferred from one proprietor to another, with the eſtates to which they were annexed [1]. Paſturage and fiſhing.

As agriculture, in its ſeveral branches, is the moſt uſeful of all arts, it merits our particular attention in every period. That the conqueſt of England by the Normans contributed to the improvement of this art in Britain, is undeniable. For by that event many thouſands of huſbandmen, from the fertile and well-cultivated plains of Flanders, France, and Normandy, ſettled in this iſland, obtained eſtates or farms, and employed the ſame methods in the cultivation of them that they had uſed in their native countries. Some of the Norman barons were great improvers of their lands, and are celebrated in hiſtory for their ſkill in agriculture. "Richard "de Rulos, lord of Brunne and Deeping, (ſays "Ingulphus), was much addicted to agriculture, "and delighted in breeding horſes and cattle. "Beſides incloſing and draining a great extent of "country, he imbanked the river Wielland Agriculture.

[1] Rymeri Fœdera, tom. 1. p. 8. Hiſt. Ingulphi, Oxon. edit. 1684. tom. 1. p. 87.

(which

"(which uſed every year to overflow the neigh-
"bouring fields) in a moſt ſubſtantial manner,
"building many houſes and cottages upon the
"bank; which increaſed ſo much, that in a
"little time they formed a large town called
"*Deeping*, from its low ſituation. Here he
"planted orchards, cultivated commons, con-
"verted deep lakes and impaſſable quagmires
"into fertile fields, rich meadows, and paſtures;
"and, in a word, rendered the whole country
"about it a garden of delights[2]." From the above deſcription, it appears, that this noble-man (who was chamberlain to William the Conqueror) was not only fond of agriculture, but alſo that he conducted his improvements with ſkill and ſucceſs.

The clergy made improvements in agriculture.

The Norman clergy, and particularly the monks, were ſtill greater improvers than the nobility; and the lands of the church, eſpecially of the convents, were conſpicuous for their ſuperior cultivation. For the monks of every monaſtery retained ſuch of their lands as lay moſt convenient in their own poſſeſſion, which they cultivated with great care, under their own inſpection, and frequently with their own hands. It was ſo much the cuſtom of the monks of this period to aſſiſt in the cultivation of their lands, eſpecially in ſeed-time, hay-time, and harveſt, that the famous Thomas Becket, after he was archbiſhop of Canterbury, uſed to go out to the

[2] Hiſt. Ingulphi, Oxon. edit. 1684. tom. 1. p. 77, 78.

fields,

fields, with the monks of the monaſteries where he happened to reſide, and join with them in reaping their corns and making their hay[3]. This is indeed mentioned by the hiſtorian as an act of uncommon condeſcenſion in a perſon of his high ſtation in the church; but it is a ſufficient proof that the monks of thoſe times uſed to work with their own hands, at ſome ſeaſons, in the labours of the field. And as many of them were men of genius and invention, they no doubt made various improvements in the art of agriculture. The 26th canon of the general council of Lateran, held A. D. 1179, affords a further proof that the protection and encouragement of all who were concerned in agriculture, was an object of attention to the church. For by that canon, it is decreed, "that all preſbyters, "clerks, monks, converts, pilgrims, and peaſants, when they are engaged in the labours of "huſbandry, together with the cattle in their "ploughs, and the ſeed which they carry into "the field, ſhall enjoy perfect ſecurity; and that "all who moleſt or interrupt them, if they do "not deſiſt when they have been admoniſhed, ſhall "be excommunicated[4]."

Implements of huſbandry.

The implements of huſbandry were of the ſame kind, in this period, with thoſe that are employed at preſent; but ſome of them were leſs perfect in their conſtruction. The plough, for example, had but one ſtilt or handle, which the

[3] Chron. Gervas, col. 1400. [4] Id. col. 1456.

plough-

ploughman guided with one hand, having in his other hand an inſtrument which ſerved both for cleaning and mending his plough, and breaking the clods [5]. The Norman plough had two wheels; and, in the light ſoil of Normandy, was commonly drawn by one ox, or two oxen; but in England a greater number, according to the nature of the ſoil, was often neceſſary [6]. In Wales the perſon who conducted the oxen in the plough, walked backwards [7]. Their carts, harrows, ſcythes, ſickles, and flails, from the figures of them ſtill remaining, appear to have been nearly of the ſame conſtruction with thoſe that are now uſed [8]. In Wales they did not uſe a ſickle in reaping their corns, but an inſtrument like the blade of a knife, with a wooden handle at each end [9]. Water-mills for grinding corn were very common; but they had alſo a kind of mills turned by horſes, which were chiefly uſed in their armies, and at ſieges, or in places where running water was ſcarce [10].

Operations of huſbandry.

Though the various operations of huſbandry, as manuring, ploughing, ſowing, harrowing, reaping, threſhing, winnowing, &c. are incidentally mentioned by the writers of this period,

5 See Mr. Strutt's compleat View of the Manners, &c. of England, vol. 2. p. 12.

6 M. Montfauçon Monumens de Monarchie Françoiſe, tom. 1. plate 47. Girald. Cambrenſ. Deſcript. Cambriæ, c. 17.

7 Id. ibid. 8 Mr. Strutt's View, vol. 1. plate 26. plate 32, 33.

9 Girald. Cam. ibid.

10 Gaufrid Viniſauf. Iter Hieroſolymit. l. 1. c. 33. M. Paris. Vit. Abbat. p. 94. col. 2.

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it is impoſſible to collect from them a diſtinct account of the manner in which theſe operations were performed. Marl ſeems ſtill to have been the chief manure next to dung, employed by the Anglo-Norman, as it had been by the Anglo-Saxon and Britiſh huſbandmen [11]. Summer-fallowing of lands deſigned for wheat, and ploughing them ſeveral times, appears to have been a common practice of the Engliſh farmers of this period. For Giraldus Cambrenſis, in his deſcription of Wales, takes notice of it as a great ſingularity in the huſbandmen of that country, "that they ploughed their lands only "once a-year in March or April, in order to "ſow them with oats; but did not, like other "farmers, plough them twice in ſummer, and "once in winter, in order to prepare them for "wheat [12]." On the border of one of the compartiments in the famous tapeſtry of Baieux, we ſee the figure of one man ſowing, with a ſheet about his neck, containing the ſeed under his left arm, and ſcattering it with his right hand; and of another man harrowing with one harrow, drawn by one horſe [13]. In two plates of Mr. Strutt's very curious and valuable work, quoted in the next page, we perceive the figures of ſeveral perſons engaged in mowing, reaping, threſhing, and winnowing; in all which operations there appears

[11] M. Paris, Hiſt. p. 181. col. 1. In Vit. Abbat. p. 101. col. 1.
[12] Giral. Cambrenſ. Deſcript. Cambriæ, c. 8. p. 887.
[13] Montfauçon Monumens de Monarchie Françoiſe, tom. 1. plate 47.

to be little ſingular, or different from modern practice [14].

State of agriculture in Scotland.

Agriculture ſeems to have been in a very imperfect ſtate in Scotland towards the end of this period. For in a parliament held at Scone, by king Alexander II. A. D. 1214, it was enacted, that ſuch farmers as had four oxen or cows, or upwards, ſhould labour their lands, by tilling them with a plough, and ſhould begin to till fifteen days before Candlemas; and that ſuch farmers as had not ſo many as four oxen, though they could not labour their lands by tilling, ſhould delve as much with hand and foot as would produce a ſufficient quantity of corn to ſupport themſelves and their families [15]. But this law was probably deſigned for the highlands, and moſt uncultivated parts of the kingdom. For in the ſame parliament, a very ſevere law was made againſt thoſe farmers who did not extirpate a pernicious weed called *guilde* out of their lands, which ſeems to indicate a more advanced ſtate of cultivation [16].

Gardening.

All the branches of gardening were much improved in England by the Normans, who coming from a country abounding with gardens, orchards, and vineyards, naturally laboured to introduce the ſame accommodations in their new ſettlements. William of Malmſbury, who flouriſhed in the former part of the twelfth century,

14 Mr. Strutt's compleat View of the Manners, Cuſtoms, &c. of England, vol. 1. plates 11, 12.

15 Regiam Majeſtatem, p. 307.

16 Id. p 335.

celebrates

celebrates the vale of Gloceſter, near to which he ſpent his whole life, for its great fertility both in corn and fruit-trees, ſome of which the ſoil produced ſpontaneouſly by the way-ſides, and others were cultivated, yielding ſuch prodigious quantities of the fineſt fruits as were ſufficient to excite the moſt indolent to be induſtrious [17]. "This vale (adds he) is planted thicker "with vineyards than any other province in "England; and they produce grapes in the "greateſt abundance, and of the ſweeteſt taſte. "The wine that is made in theſe vineyards hath "no diſagreeable tartneſs in the mouth, and is "very little inferior in flavour to the wines of "France [18]." This is a deciſive proof that vineyards were planted and cultivated in England, in this period, for the purpoſe of making wine. Many of theſe vineyards were planted by abbots and biſhops, for the benefit of their monks and clergy. Martin, for example, abbot of St. Edmunſbury, planted a vineyard for the uſe of his abbey, A. D. 1140; and Hugh biſhop of Lincoln paid a fine to the king of no leſs than five hundred marks, that the crops of corn produced on the eſtates, and wine made in the vineyards, together with the wine-preſſes, belonging to that ſee in the year in which a biſhop died, ſhould be the property of the biſhop, though he ſhould happen to die before Martinmas [19]. This

[17] W. Malmſ. de Pontific. Angl. l. 4. fol. 161. [18] Id. ibid.
[19] Chron. Saxon. p. 240. Hiſt. Canob. Burgenſ. p. 88. Madox. Hiſt. Exchеq. p. 289.

fine, it is true, was paid to Henry III. about fourteen years after the concluſion of this period; but the vineyards had been planted long before, and our kings had been accuſtomed to claim the produce of them when a biſhop died before Martinmas.

Famines in England.

But notwithſtanding all the improvements that were made in agriculture, and that England was reputed the moſt fertile country in Europe, it cannot be denied, that there were ſome very ſevere famines felt in it in the courſe of this period [20]. An attentive examination, however, of the circumſtances of theſe famines will ſerve ſtill further to convince us, that agriculture was much improved, and a more conſtant ſupply of the neceſſaries of life provided, by the Normans, after they had obtained a firm eſtabliſhment. For of the five great famines that raged in this period, four happened within a few years after the conqueſt, and were partly produced by the dreadful devaſtations of war; and the only deſtructive famine that fell out in the twelfth century (A. D. 1125) was occaſioned by prodigious rains and floods in harveſt; againſt the fatal effects of which no ſkill or induſtry of the huſbandman can guard [21].

Architecture.

Architecture, in all its branches, received as great improvements in this period as agriculture. The truth is, that the twelfth century may very properly be called the age of architecture,

[20] Chron. Saxon. p. 178. 184. 188. 204. 229. [21] Id. ibid.

in

in which the rage for building was more violent in England than at any other time. The great and general improvements that were made in the fabrics of houſes and churches in the firſt years of this century, are thus deſcribed by a contemporary writer: "The new cathedrals and innumerable churches that were built in all parts, "together with the many magnificent cloiſters "and monaſteries, and other apartments of "monks, that were then erected, afford a ſuffi- "cient proof of the great felicity of England in "the reign of Henry I. The religious of every "order, enjoying peace and proſperity, diſ- "played the moſt aſtoniſhing ardour in every "thing that might increaſe the ſplendour of "divine worſhip. The fervent zeal of the faith- "ful prompted them to pull down houſes and "churches every where, and rebuild them in a "better manner. By this means the ancient "edifices that had been raiſed in the days of "Edgar, Edward, and other Chriſtian kings, "were demoliſhed, and others of greater magni- "tude and magnificence, and of more elegant "workmanſhip, were erected in their room to the "glory of God [22]."

Arts of the clergy.

As the prodigious power of religious zeal, whatever turn it happens to take, when it is thoroughly heated, is well known, it may not be improper to give one example of the arts employed by the clergy and monks of this period,

[22] Orderic. Vital. Hiſt. Eccleſ. l. 10. p. 788.

to inflame the pious ardour of the kings, nobles, and people, for building and adorning churches. When Joffred, abbot of Croyland, reſolved to rebuild the church of his monaſtery in a moſt magnificent manner, A D. 1106, he obtained from the archbiſhops of Canterbury and York, a bull diſpenſing with the third part of all penances for ſin to thoſe who contributed any thing towards the building of that church. This bull was directed not only to the king and people of England, but to the kings of France and Scotland, and to all other kings, earls, barons, archbiſhops, biſhops, abbots, priors, rectors, preſbyters, and clerks, and to all true believers in Chriſt, rich and poor, in all Chriſtian kingdoms. To make the beſt uſe of this bull, he ſent two of his moſt eloquent monks to proclaim it over all France and Flanders, two other monks into Scotland, two into Denmark and Norway, two into Wales, Cornwall, and Ireland, and others into different parts of England. "By this means "(ſays the hiſtorian) the wonderful benefits "granted to all the contributors to the building "of this church were publiſhed to the very ends "of the earth; and great heaps of treaſure and "maſſes of yellow metal flowed in from all "countries, upon the venerable abbot Joffred, "and encouraged him to lay the foundations of "his church." Having ſpent about four years in collecting mountains of different kinds of marble from quarries both at home and abroad, together with great quantities of lime, iron,

braſs, and other materials for building, he fixed a day for the great ceremony of laying the foundation, which he contrived to make a very effectual mean of raiſing the ſuperſtructure. For on the long-expected day, the feaſt of the holy virgins Felicitas and Perpetua, an immenſe multitude of earls, barons, and knights, with their ladies and families, of abbots, priors, monks, nuns, clerks, and perſons of all ranks, arrived at Croyland, to aſſiſt at this ceremony. The pious abbot Joffred began by ſaying certain prayers, and ſhedding a flood of tears, on the foundation. Then each of the earls, barons, knights, with their ladies, ſons, and daughters, the abbots, clerks, and others, laid a ſtone, and upon it depoſited a ſum of money, a grant of lands, tithes, or patronages, or a promiſe of ſtone, lime, wood, labour, or carriages, for building the church. After this the abbot entertained the whole company, amounting to five thouſand perſons at dinner [23]. To this entertainment they were well intitled; for the money, and grants of different kinds, which they had depoſited on the foundation-ſtones, were alone ſufficient to have raiſed a very noble fabric. By ſuch arts as theſe the clergy inſpired kings, nobles, and people of all ranks, with ſo ardent a ſpirit for theſe pious works, that in the courſe of this period almoſt all the ſacred edifices in England were rebuilt, and many hundreds of new

[23] P. Bleſenſ. Continuat. Hiſt. Ingulph. p. 113—120.

ones raiſed from the foundation. Nor was this ſpirit confined to England, but prevailed as much in Scotland in proportion to its extent and riches. King David I. alone, beſides ſeveral cathedrals and other churches, built no fewer than thirteen abbeys and priories, ſome of which were very magnificent ſtructures [24].

Sacred architecture.

The ſacred architecture of the Anglo-Normans in the beginning of this period, did not differ much in its ſtyle and manner from that of the Anglo-Saxons; their churches being in general plain, low, ſtrong, and dark; the arches both of the doors and windows ſemicircular; with few or no ornaments [25]. By degrees, through much practice, our architects, who were all monks or clergymen, improved in their taſte and ſkill, and ventured to form plans of more noble, light, and elevated ſtructures, with a great variety of ornaments; which led to that bold magnificent ſtyle of building, commonly, though perhaps not very properly, called *the latter Gothic*. It is not improbable that our monkiſh architects were aſſiſted in attaining this ſtyle of building by models from foreign countries, or by inſtructions from ſuch of their own number as had viſited Italy, France, Spain, or the Eaſt. But, without entering into uncertain diſputes about the origin of this ſtyle of architecture, it is ſufficient

[24] Spottiſwood's Religious Houſes.

[25] Dr. Ducarel's Anglo-Norman Antiquities, p. 102, &c. Mr. Strutt's Manners, &c. of England, vol. 1. p. 102. Bentham's Hiſt. Ely. pref. Groſe's Antiquities of England, pref. p. 63, &c.

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to obſerve, that it began to appear in England in the reign of Henry II. and was diſtinguiſhed from the more ancient Gothic by the following marks. The walls were much higher though not ſo thick, and ſupported on the outſide by buttreſſes;—the doors and windows were wider and loftier; and the arches of both were no longer ſemicircular, but pointed; and were ſometimes ornamented with cluſters of pillars on each ſide, and great variety of carvings;—the larger windows had mullions of ſtone for ornament; and for the conveniency of fixing the glaſs, the pillars that ſupported the roof were lofty and ſlender, and frequently ſurrounded with ſmall pillars that made them appear like a cluſter;—the arches of the roof, like thoſe of the doors and windows, were pointed;—the roof was covered with lead, and the fabric ornamented on the top at each end with pinnacles, and with a tower over the middle of the croſs; on which, about the end of this period, very lofty ſpires of wood and ſtone began to be erected [26]. This mode of architecture, which, with ſome variations, flouriſhed more than three centuries, produced many ſtupendous edifices, which are ſtill viewed with pleaſure and admiration. Many of theſe magnificent ſtructures were built with ſtones brought from the quarries near Caen in

[26] Sir Chriſt. Wren's Parentalia, p. 298. Bentham, Hiſt. Ely, pref. Groſe's Antiquities, pref. p. 70.

Normandy,

Normandy, which very much enhanced the expence of their erection [27].

Civil architecture.

The houſes of the common people in the country, and of the lower burgeſſes in towns and cities, were very little improved in their ſtructure in the courſe of this period; that moſt numerous and uſeful order of men being much depreſſed in the times we are now delineating. Even in the capital city of London, all the houſes of mechanics and common burgeſſes were built of wood, and covered with ſtraw or reeds, towards the end of the twelfth century [28]. But the palaces, or rather caſtles, of the Anglo-Norman kings, barons, and prelates, were very different from the reſidences of perſons of the ſame rank in the Anglo-Saxon times. For this we have the teſtimony of a perſon of undoubted credit, who was well acquainted with them both. "The Anglo-Saxon nobles (ſays William of "Malmſbury) ſquandered away their ample "revenues in low and mean houſes; but the "French and Norman barons are very different "from them, living at leſs expence, but in "great and magnificent palaces [29]." The truth is, that the rage of building fortified caſtles, was no leſs violent among the Norman princes, prelates, and barons, than that of building churches. To this they were prompted, not only by the cuſtom of their native country, but

27 Groſe's Antiquities, pref. p. 77.
28 Stow's Survey of London, vol. 1. p. 69.
29 W. Malmſ. p. 57. col. 2.

alſo

alſo by their dangerous ſituation in this iſland. Surrounded by multitudes, whom they had depreſſed and plundered, and by whom they were abhorred, they could not think themſelves ſafe without the protection of deep ditches and ſtrong walls The Conqueror himſelf was ſenſible, that the want of fortified places in England had greatly facilitated his conqueſt, and might facilitate his expulſion; and therefore he made all poſſible haſte to remedy this defect, by building very magnificent and ſtrong caſtles in all the towns within the royal demeſnes. "William (ſays Matthew Paris) excelled all his "predeceſſors in building caſtles, and greatly "haraſſed his ſubjects and vaſſals with theſe works[30]." All his earls, barons, and even prelates, imitated his example; and it was the firſt care of every one who received the grant of an eſtate from the crown to build a caſtle upon it for his defence and reſidence. The diſputes about the ſucceſſion in the following reigns, kept up this ſpirit for building great and ſtrong caſtles. William Rufus was ſtill a greater builder than his father. "This William (ſays "Henry Knyghton) was much addicted to "building royal caſtles and palaces, as the "caſtles of Dover, Windſor, Norwich, Exeter, "the palace of Weſtminſter, and many others, "teſtify; nor was there any king of England

[30] M. Paris, Hiſt. p. 8. col. 2. Simeon Dunelm. Hiſt. col. 197, 198. R. de Diceto Chron. col. 482.

"before

"before him that erected ſo many, and ſuch "noble edifices[31]." Henry I. was alſo a great builder both of caſtles and monaſteries[32]. But this rage for building never prevailed ſo much in any period of the Engliſh hiſtory as in the turbulent reign of king Stephen, from A. D. 1135 to A. D. 1154. "In this reign (as we are told "by the author of the Saxon Chronicle) every "one who was able, built a caſtle; ſo that the "poor people were worn out with the toil of "theſe buildings, and the whole kingdom was "covered with caſtles[33]." This laſt expreſſion will hardly appear too ſtrong, when we are informed, that beſides all the caſtles before that time in England, no fewer than eleven hundred and fifteen were raiſed from the foundation in the ſhort ſpace of nineteen years[34].

Military Architecture.

An art ſo much practiſed as architecture was in this period, muſt have been much improved. That it really was ſo, will appear from the following very brief deſcription of the moſt common form and ſtructure of a royal caſtle, or of that of a great earl, baron, or prelate, in this period; and as theſe caſtles ſerved both for reſidence and defence, this deſcription will ſerve for an account both of the domeſtic and military architecture of thoſe times, which cannot well be ſeparated.

[31] Hen. Knygton, col. 2373.
[32] R. de Diceto Chron. col. 505.
[33] Chron. Saxon. p. 238.
[34] R. de Diceto, col. 528.

The ſituation of the caſtles of the Anglo-Norman kings and barons, was moſt commonly on an eminence, and near a river; a ſituation on ſeveral accounts eligible. The whole ſite of the caſtle (which was frequently of great extent and irregular figure) was ſurrounded by a deep and broad ditch, ſometimes filled with water, and ſometimes dry, called *the foſſe*[35]. Before the great gate was an outwork, called *a barbacan*, or *antemural*, which was a ſtrong and high wall, with turrets upon it, deſigned for the defence of the gate and draw-bridge[36]. On the inſide of the ditch ſtood the wall of the caſtle, about eight or ten feet thick, and between twenty and thirty feet high, with a parapet, and a kind of embraſures, called *crennels*, on the top. On this wall at proper diſtances ſquare towers of two or three ſtories high were built, which ſerved for lodging ſome of the principal officers of the proprietor of the caſtle and for other purpoſes; and on the inſide were erected lodgings for the common ſervants or retainers, granaries, ſtorehouſes, and other neceſſary offices. On the top of this wall, and on the flat roofs of theſe buildings, ſtood the defenders of the caſtle, when it was beſieged, and from thence diſcharged arrows, darts, and ſtones, on the beſiegers. The great gate of the caſtle ſtood in the courſe of this wall, and was ſtrongly fortified with a tower on each ſide, and rooms over the paſſage, which was cloſed with thick folding-

Deſcription of a caſtle.

[35] Du Cange Gloſſ. voc. *Foſſatum.*

[36] Id. voc. *Barbacana.*

folding doors of oak, often plated with iron, and with an iron portcullis or grate let down from above. Within this outward wall was a large open ſpace or court, called in the largeſt and moſt perfect caſtles, the *outer bayle* or *ballium*, in which ſtood commonly a church or chapel. On the inſide of this outer bayle was another ditch, wall, gate, and towers, incloſing the inner bayle, or court, within which the chief tower or *keep* was built. This was a very large ſquare fabric, four or five ſtories high, having ſmall windows in prodigious thick walls, which rendered the apartments within it dark and gloomy. This great tower was the palace of the prince, prelate, or baron, to whom the caſtle belonged, and the reſidence of the conſtable or governor. Under ground were diſmal dark vaults, for the confinement of priſoners, which made it ſometimes be called *the dungeon*. In this building alſo was the great hall, in which the owner diſplayed his hoſpitality, by entertaining his numerous friends and followers[37]. At one end of the great halls of caſtles, palaces, and monaſteries, there was a place raiſed a little above the reſt of the floor, called *the deis*, where the chief table ſtood, at which perſons of the higheſt rank dined[38]. Though there were unqueſtionably great variations in the ſtructure of

[37] See Mr. Groſe's Preface, p. 5, 6, 7, 8, to his Antiquities of England and Wales, from which I gratefully acknowledge the above deſcription is chiefly taken.

[38] M. Paris, Vit. Abbat. p. 92. col. 1. p. 148. col. 1.

caſtles

caſtles and palaces in this period, yet the moſt perfect and magnificent of them ſeem to have been conſtructed nearly on the above plan. Such, to give one example, was the famous caſtle of Bedford, as appears from the following account of the manner in which it was taken by Henry III. A. D. 1224[39]. The caſtle was taken by four aſſaults. "In the firſt was taken the "barbacan; in the ſecond the outer ballia; at the "third attack, the wall by the old tower was "thrown down by the miners, where, with "great danger, they poſſeſſed themſelves of the "inner ballia, through a chink; at the fourth "aſſault, the miners ſet fire to the tower, ſo "that the ſmoke burſt out, and the tower itſelf "was cloven to that degree, as to ſhew viſibly "ſome broad chinks; whereupon the enemy ſur-"rendered[40]."

Famous architects.

The caſtles, monaſteries, and greater churches of this period, were generally covered with lead, the windows glazed; and when the walls were not of aſhler, they were neatly plaſtered and whitewaſhed on both ſides[41]. The doors, floors, and roof, were commonly made of oak planks and beams, exactly ſmoothed and jointed, and frequently carved[42]. It is hardly neceſſary to obſerve, that the building one of theſe great and magnificent caſtles, monaſteries, or churches, of

39 M. Paris. Hiſt. Ang. p. 221, 222.
40 Camden's Britannia, vol. 1. p. 314. col. 2.
41 M. Paris, Vit. Abbat. p. 42. col. 2. 42 Id. ibid. p. 79. col. 2.

which

which there were many in England, muſt have been a work of prodigious expence and labour; and that the architects and artificers, by whom that work was planned and executed, muſt have attained conſiderable dexterity in their reſpective arts. Several of theſe architects have obtained a place in hiſtory, and are highly celebrated for their ſuperior ſkill. William of Sens, architect to archbiſhop Lanfranc in building his cathedral, is ſaid, by Gervaſe of Canterbury, to have been a moſt exquiſite artiſt both in ſtone and wood. He made not only a model of the whole cathedral, but of every particular piece of ſculpture and carving, for the direction of the workmen; and invented many curious machines for loading and unloading ſhips, and conveying heavy weights by land, becauſe all the ſtones were brought from Normandy[43]. Matthew Paris ſpeaks even in a higher ſtrain of Walter of Coventry, who flouriſhed towards the end of this period, when he ſays, that "ſo excellent "an architect had never yet appeared, and pro- "bably never would appear, in the world[44]." This encomium was undoubtedly too high; but it is impoſſible to view the remains of many magnificent fabrics, both ſacred and civil, that were erected in this period, without admiring the genius of the architects by whom they were

[43] Gervas de Combuſtione et Reparatione Dorobernenſ. Eccleſ. col. 1290, 1291.

[44] M. Paris, Vit. Abbat. p. 79. col. 2.

planned,

planned, and the dexterity of the workmen by whom they were executed.

Though the arts of refining and working metals, which are ſo uſeful in themſelves, and ſo neceſſary to the practice of the other arts, were very far from being in an imperfect ſtate among the Anglo-Saxons, they certainly received ſome improvements in the preſent period[45]. The art of making defenſive armour, in particular, was brought to ſuch perfection, that a knight completely armed was almoſt invulnerable[46]. A ſuit of this armour conſiſted of many different pieces, for the ſeveral parts of the body, nicely jointed, to make them ſit eaſy, and allow freedom of motion and exertion of ſtrength; the whole was well tempered, finely poliſhed, and often beautifully gilt, which are ſufficient evidences of the dexterity of the artiſts[47]. But thoſe who wrought in the more precious metals of gold and ſilver, had attained to ſtill greater perfection in their art. This appears from the direct teſtimony of contemporary writers, and from the deſcriptions of ſome of the works of theſe artiſts. When Robert, abbot of St. Albans, ſent a preſent of two candleſticks made of gold and ſilver, with wonderful art, to his countryman pope Adrian IV. A. D. 1158, they were greatly admired and praiſed by that pontiff and his courtiers, who acknowledged they had never beheld any pieces

Metallic arts.

45 See vol. 4. chap. 5. p. 127.
46 Orderic. Vital. p. 854.
47 Martin. Anecdot. tom. 1. col. 1306.

of workmanſhip of that kind ſo exquiſitely beautiful [48]. A goldſmith, named Baldwine, who flouriſhed in the reign of Henry II. was very famous, and made many admirable pieces of plate for the uſe of churches. "Simon, abbot "of St. Albans (ſays Matthew Paris), dedi- "cated to God, and the church of the holy "martyr Alban, for the perpetual preſervation "of his own memory, a very large cup of gold, "than which there was not one more noble or "beautiful in all England. It was made of the "pureſt gold, by that renowned goldſmith, "maſter Baldwine, adorned with flowers and "foliages of the moſt delicate workmanſhip, "and ſet around with precious ſtones in the "moſt elegant manner. Beſides this, he gave "to that church a veſſel for keeping the eu- "chariſt, which was ſuſpended over the high "altar, and excited univerſal admiration. It "was made by the hand of the ſame Baldwine; "and though it was of the fineſt gold, and en- "riched with precious ſtones of ineſtimable va- "lue, the workmanſhip was more excellent than "the materials [49]." Theſe artiſts alſo excelled in caſting figures of all kinds, in braſs, ſilver, and gold, for ornamenting cabinets, ſhrines, altars, and the like. There was in the ſame abbey of St. Alban's a ſhrine adorned with the whole hiſtory of our Saviour's paſſion, in ſuch caſt figures [50]. The exceſſive riches of the church in

[48] M. Paris, Vit. Abbat. p. 47. col. 1.
[49] Id. ibid. p. 60. col. 2.
[50] Id. ibid. p. 61. col. 1.

this

this period, and the ambition of many prelates and abbots, to diſplay their piety and gratify their pride, by adorning their cathedrals and abbeys, contributed very much to the improvement of this, and of ſeveral other arts, by affording the higheſt encouragement to the artiſts. The truth is, that many of the moſt curious artiſts of this period were eccleſiaſtics, and ſome of them even prelates; and that in ſome churches there were certain prebends appropriated to thoſe of their clergy who excelled as architects, workers in ſtone, wood, or metals, and ſuch arts as were neceſſary in building and adorning monaſteries and cathedrals [51].

Clothing arts.

The arts of dreſſing and ſpinning wool and flax, weaving both linen and woollen cloth, and ſeveral other clothing arts, were well known to the Anglo-Saxons, and practiſed by them with no little ſucceſs, before the conqueſt [52]. There is however ſufficient evidence that all theſe arts were improved after that event, in the courſe of our preſent period. This was partly owing to the great multitude of manufacturers of cloth, who came from Flanders, and ſettled in England, in thoſe times. The people of that country were then ſo famous for their ſkill in the woollen manufactory, that one of our ancient hiſtorians ſays, "the art of weaving ſeemed to "be a peculiar gift beſtowed upon them by nature."

[51] Hiſtoire Literaire de la France, tom. 7. p. 141, 142. tom. 9. p. 221, &c.

[52] See vol. 4. chap. 5. p. 132—137.

"ture [53]." By this they were ſo much enriched, that ſome of their manufacturers and merchants rivaled princes in wealth and luxury. Beſides the great number of Flemings who came over in the army of the Conqueror, there were ſeveral conſiderable emigrations of them from their own country into England, particularly in the reigns of Henry I. and king Stephen [54]. After their ſettlement in this iſland, which abounded in the beſt materials for their manufactories, they purſued their former occupation with great advantage to themſelves and to the kingdom. Giraldus Cambrenſis, in his itinerary of Wales, obſerves, that "the inhabitants of the diſtrict of "Roſs in Pembrokeſhire, who derived their "origin from Flanders, were much addicted to, "and greatly excelled in, the woollen manu-"factory [55]."

Weavers gilds.

For the improvement of the clothing-arts the weavers in all the great towns of England were formed into gilds or corporations, and had various privileges beſtowed upon them by royal charters, for which they paid certain fines into the exchequer. The weavers of Oxford paid a mark of gold for their gild, in the fifth of king Stephen; thoſe of London paid ſixteen pounds for theirs in the fifteenth, and thoſe of Lincoln fined two chaſeures or hounds for theirs in the

53 Gervas Chron. col. 1349.
54 J. Brompt. Chron. 1003. Gervas, col. 1349.
55 Girald. Cambrenſ. Itinerarium Walliæ, l. 1. ch. 11. p. 848.

twelfth of the ſame reign [56]. In the twelfth of Henry II. the weavers of Wincheſter paid one mark of gold as a greſome, and two marks as their annual rate, for enjoying the rights of their gild, and the privilege of chuſing their own aldermen; and in the ſame year, the fullers of the ſame city, who formed another corporation, paid ſix pounds for their gild [57].

Laws reſpecting the woollen manufactory.

In the reign of Richard I. the woollen manufactory became the ſubject of legiſlation; and a law was made, A. D. 1197, for regulating the fabrication and ſale of cloth. By that law, "it "was enacted,—That all woollen cloths ſhall "every where be made of the ſame breadth, "viz. two ells within the liſts; and of the "ſame goodneſs in the middle as at the ſides.— "That the ell ſhall be of the ſame length over "all the kingdom, and that it ſhall be made of "iron.—That no merchant in any part of the "kingdom of England ſhall ſtretch before his "ſhop or booth, a red, or black cloth, or any "other thing, by which the ſight of buyers "is frequently deceived in the choice of good "cloth.—That no cloth of any other colour "than black ſhall be ſold in any part of the "kingdom, except in cities and capital burghs; "and that in all cities and burghs, four or ſix "men, according to the ſize of the place, ſhall "be appointed to enforce the obſervation of "theſe regulations, by ſeizing the perſons and

56 Madox Hiſt. Exchequ. ch. 13. ſect. 3. p. 323. 57 Id. Ibid.

"goods of all who tranſgreſs them [58]." This remarkable law demonſtrates, that the manufactory of broad cloth was not only eſtabliſhed in England in this period, but that it had arrived at conſiderable maturity, and had become an object of national attention. There is evidence ſtill remaining that this law was for ſome time very ſtrictly executed; but that in the reign of king John, when every thing became venal, the merchants and manufacturers purchaſed licences to make their cloth either broad or narrow as they pleaſed, which brought conſiderable ſums into the royal exchequer [59].

Tapeſtry. That tapeſtry hangings, with hiſtorical figures woven in them, were uſed in England in this period, we have the cleareſt evidence. Richard, who was abbot of St. Albans from A.D. 1088 to A.D. 1119, made a preſent to his monaſtery of a ſuit of hangings, which contained the whole hiſtory of St. Alban [60]. But whether theſe hangings had been made in England or not is uncertain, although it is not improbable that this curious art might be introduced by ſome of the many manufacturers from the Netherlands, who ſettled in Britain in this period.

Silks. Silks of various kinds are frequently mentioned both in the records and by the hiſtorians of this period, and even ſeem not to have been very

58 Hoveden. Annal p. 440. col. 2. M. Paris Hiſt. Ang. p. 134.
59 Hoveden Annal. p. 467. col. 2.
60 M. Paris, Vit. Abbat. p. 35. col. 1.

uncommon.

uncommon. For we often meet with accounts of ſilk veſtments, cops, altar-cloths, hangings, &c. in great quantities, purchaſed by prelates, for the uſe of themſelves, their clergy, and their churches [61]. Nor was the uſe of ſilks confined to the church and clergy. They were worn alſo by kings, queens, princes, and other perſons of high rank, eſpecially on ſolemn occaſions [62]. But it is much more probable, that theſe ſilks were imported from Spain, Sicily, Majorca, Ivica, and other countries, than that they were manufactured in Britain. The ſilk manufactory ſeems to have flouriſhed greatly, at this time, in the two laſt-mentioned iſlands, as each of them paid an annual tribute of two hundred pieces of ſilk to the king of Arragon [63]. Roger king of Sicily having taken the cities of Corinth, Thebes, and Athens, A. D. 1148, got into his hands a great number of ſilk weavers, brought them, with the implements and materials for the exerciſe of their art, and ſettled them at Palermo in Sicily [64]. A writer who viſited this manufactory, A. D. 1169, repreſents it to have been then in a moſt flouriſhing condition, producing great quantities of ſilks, both plain and figured, of many different colours. "There (adds he) you "might have ſeen other workmen making ſilks

61 Angl'a Sacra, tom. 2. p. 416 421. W. Malmſ p. 118 Hiſtoria Cœnobii Burgenſ. a Joſepho Sparke edit. London 1723. P. 100, &c.

62 Madox Hiſt. Exchcq. chap. 10. ſect. 12.

63 R. Hoveden. Annal. p. 387. col 2.

64 Otto Friſingenſ. Hiſt. Imp. Frederic. l. 1. c. 33.

"interwoven with gold, and adorned with figures, "compoſed of many ſparkling gems [65]." It will afterwards appear, that thoſe elegant arts were not long confined to Sicily.

Embroidery.

We have already ſeen that the Anglo-Saxon ladies before the conqueſt, excelled in the art of embroidery [66]. This art was rather improved than injured by that event, and the Engliſh ladies ſtill maintained their ſuperiority in this reſpect. When Robert abbot of St. Albans viſited his countryman pope Adrian IV. he made him ſeveral valuable preſents, and, amongſt other things, three mitres, and a pair of ſandals, of moſt admirable workmanſhip. His holineſs refuſed his other preſents, but thankfully accepted of the mitres and ſandals, being charmed with their exquiſite beauty. Theſe admired pieces of embroidery were the work of Chriſtina abbeſs of Markgate [67]. Another pope, not long after, admiring the embroidered veſtments of ſome Engliſh clergymen, aſked where they had been made; and being anſwered—in England,—he cried out, —"O England! thou garden of delights, thou "inexhauſtible fountain of riches, from thee I "never can exact too much;" and immediately diſpatched his bulls to ſeveral Engliſh abbots, commanding them to procure him ſome of theſe embroidered cloths and ſilks for his own dreſs [68].

65 Falcaldus Hiſtoria Sicula, Præfat.
66 See vol. 4. ch. 5. p. 133.
67 M. Paris, Vit. Abbat. p. 46.
68 Spelman. Gloſſ. voc. *Aurifriſia*. M. Paris Hiſt. p. 473.

From

From the deſcriptions of theſe ſacerdotal veſtments in our ancient writers, they ſeem to have merited the admiration which they excited. Some of them (as we are informed by contemporary writers) were almoſt quite covered with gold and precious ſtones, and others adorned with the moſt beautiful figures of men, beaſts, birds, trees, and flowers [69]. It may not however be improper to ſuggeſt, that if theſe and other works, which appeared ſo exquiſitely beautiful to the writers of this period, were now extant, it is probable that they would not excite ſo much admiration, in the preſent age, when the arts are ſo much improved.

Art of war.

No art was more neceſſary, more cultivated, or more improved, in Britain, in this period, than that of war. "The Normans (ſays William of Malmſbury) are a people who delight "in war, and are unhappy when they are not "engaged in ſome military operation. They "excel in all the arts of attacking their enemies "when their forces are ſufficient; and, when "theſe are defective, they are no leſs expert in "military ſtratagems, and the arts of corruption "by money [70]."

Their armies.

The armies of Britain, and of all the nations of Europe, in the feudal times, conſiſted chiefly of cavalry, compoſed of earls, barons, knights, and others, who held their lands by knights ſer-

[69] M. Paris, Vit. Abbat. p. 40. col. 1. Hiſtoria Cœnobii Burgenſ. p. 100, 101.

[70] W. Malmſ. l. 3. p. 57. col. 2.

vice;

vice; or of their ſubſtitutes. All theſe were obliged, by their tenures, to take the field when called upon by their ſovereign, together with a certain number of knights, well mounted and properly armed, and to ſerve a certain number of days at their own expence, their lands being conſidered as their pay. As it often happened, that many who held lands by knights ſervice, were ſuperannuated, or infirm or otherwiſe incapable of performing that ſervice in perſon, they were permitted, or rather obliged, to perform it by proper ſubſtitutes. The clergy alſo, who poſſeſſed a great proportion of lands, for which they could not in perſon perform the military ſervices, becauſe they were prohibited by the canons, were ſubjected to the ſame neceſſity of performing theſe ſervices by ſubſtitutes, that the national defence might be complete. As many of the wars of the kings of England, in this period, were carried on in Normandy and France, the perſonal performance of their military ſervices became very inconvenient and expenſive to the poſſeſſors of lands in England; which induced many of them to redeem theſe ſervices, by paying the tax called *ſcutage*. With the money ariſing from this tax, the kings engaged ſoldiers of fortune to perform the ſervices. The cavalry therefore of the Britiſh armies, in this period, conſiſted of ſuch earls, barons, and knights, as were able and willing to perform the military ſervices for their lands in perſon, and of the ſubſtitutes of the clergy and others, either provided

provided by themſelves, or hired by the king. If all theſe, belonging to England, had been collected together, they would have formed a body of ſixty thouſand horſemen, as there were ſixty thouſand knights fees in that kingdom [71].

The defenſive armour of the Britiſh cavalry have been already deſcribed, except their ſhields, which they carried on their left arms, and with which they warded off the blows of their enemies [72]. Theſe ſhields were of an oval form, conſiderably broader at the top than at the bottom. Even the horſes of ſome of the princes, earls, barons, and chief knights, were covered with armour of ſteel or iron [73]. The offenſive arms of the cavalry were, 1. long ſpears, or lances, made of ſome light ſtrong wood, as fir or aſh, and pointed with ſteel, very ſharp, and well tempered; 2. long and broad ſwords, double-edged, and ſharp-pointed; 3. a ſhort dirk or dagger [74]. Defenſive armour.

The infantry of the Britiſh armies of this period conſiſted of the freemen of the ſeveral Britiſh ſtates, who did not hold lands of the ſovereign by knights ſervice, but were poſſeſſed of property to a certain extent, for which they were obliged to contribute to the public defence. By the famous aſſize of arms made by Henry II. A. D. 1181, every freeman who was poſſeſſed of ſixteen marks, either in lands or goods, was ob- Infantry.

[71] Orderic. Vital. p. 523.
[72] See p. 193.
[73] Hoveden. Annal. p. 44. col. 2.
[74] Hoveden. p. 350. col. 1.

liged

liged to provide the armour and weapons of a man at arms; and every freeman and burgeſs who poſſeſſed ten marks, was obliged to provide the armour and arms of an ordinary foot-ſoldier [75]. The defenſive armour of a man at arms was a coat of mail, a helmet, and a ſhield; and his offenſive weapons, a ſpear and a ſword. The defenſive armour of an ordinary foot-ſoldier was a wambois, or jacket twilted with cotton, and an iron ſcull-cap; his offenſive arms, a ſpear, or a bow and arrows, or a ſling, with a ſword. Theſe arms, by the ſame aſſize, were neither to be ſold, nor pledged, nor ſeized for debt, nor any way alienated, but tranſmitted by every man to his heir; and if any one who poſſeſſed them was not capable of uſing them, he was obliged to provide one who was capable, when he was called into the field [76]. By theſe wiſe regulations every man who had any valuable ſtake in the ſtate, was obliged to contribute to the public ſafety, and was conſtantly provided with the means of doing it.

Mercenary troops.

Beſides theſe national forces, there were, in this period, ſeveral bands of mercenary ſoldiers of fortune, who made a trade of war, and were occaſionally taken into the pay of the kings of England. Theſe were called by various names, as, *Ruptarii*, *Bragmanni*, *Coterelli*, and moſt commonly *Brabanzons*, becauſe many of them were

[75] Hoveden, p. 350. col. 1. [76] Id. Ibid.

natives

natives of Brabant [77]. They are painted by the hiſtorians of thoſe times in the moſt odious colours, as a collection of deſperate lawleſs ruffians, who lived by plunder, when they were not employed in war [78]. Stephen ſeems to have been the firſt Engliſh king who took theſe miſcreants into his pay; and his example was imitated by his three ſucceſſors, Henry II. Richard I. and John [79]. But it was only in times of great confuſion, when many of their own ſubjects had revolted, that our princes had recourſe to ſuch deſtructive auxiliaries. Theſe troops of banditti, rather than of ſoldiers, became at length ſo terrible, eſpecially to the clergy, that they were ſolemnly excommunicated by the third general council of Lateran, A. D. 1179, and a croiſade was ſet on foot for their extermination [80]. One Durand, a common carpenter, pretending to have received a commiſſion from the Virgin Mary in a viſion, A. D. 1182, put himſelf at the head of this croiſade, and formed a military ſociety for the deſtruction of the Brabanzons; which, after a long and bloody ſtruggle, was accompliſhed [81].

The ſovereign of every feudal ſtate was, by the conſtitution, generaliſſimo or commander in chief Military officers.

77 Du Cange Gloſſ. voc. *Ruptarii*, *Coterelli*, *Brabantes*. Anglia Sacra, tom 2. p. 391. 78 Gervaſii Chron. col. 1461.

79 J. Hagulſtad, col. 282. W. Neubrigen. l. 2. c. 27. Anglia Sacra, tom. 2. p 391. M. Paris, Vita Abbat. p. 77. col. 2.

80 Benedict. Abbas, tom. 1. p. 229. ad ann. 1179.

81 Gervas Chron. col. 1461.

chief of its forces; and all the Britiſh princes of this period performed that office in perſon, appearing conſtantly at the head of their armies. This was not altogether owing to the martial character of theſe princes, but was abſolutely neceſſary to preſerve ſome degree of diſcipline in armies compoſed of haughty independent barons and their followers. The conſtable, who was the higheſt military officer, commanded under the king, and, with the aſſiſtance of the marſhal and his officers, ſuperintended the muſters, regulated the quarters, marches, and incampments; determined all diſputes, and appointed the puniſhment of delinquents, according to martial law[82]. Every earl commanded the troops of his county, and every baron thoſe of his barony. All theſe offices or commands were hereditary; which, as John of Saliſbury obſerves, was a defect in the military ſyſtem of the middle ages, becauſe by this means many perſons were inveſted with offices of great importance, for which they were naturally unqualified. "In our time "(ſays he) military ſkill and diſcipline have "much declined, and are almoſt quite de-"ſtroyed; becauſe many poſſeſs the higheſt of-"fices, without having paſſed through the ſub-"altern degrees; who are proud indeed of "their commands and titles, but deſpiſe the "moſt neceſſary qualifications. Young men

[82] Paſquier Recherches, p. 104. Spelman Gloſſ. voc. *Conſtabularius, Marſcallus.*

"who

" who are gameſters, hunters, hawkers, and " even natural fools, who have never handled " arms, or acquired any knowledge of the arts " of war, take upon them to act the part of " generals [83]."

Standards.

The royal ſtandard was conſidered as the centre of the whole army. In the day of battle it was carried by ſome great baron, who was ſtandard-bearer of the kingdom, whoſe office was very honourable, and commonly hereditary. Henry de Eſſex was ſtandard-bearer of England in the reign of Henry II. but in a battle againſt the Welſh, A. D. 1157, he was ſeized with a panic, and threw down the royal ſtandard; on which the whole army concluded that the king was killed. Being tried for this crime, and convicted, he was condemned to loſe his office, his fortune, and his life; which laſt was ſpared by the clemency of the king [84]. Every earl and baron had his particular ſtandard painted with the armorial enſigns of his family; and even biſhops and abbots had alſo ſtandards, with different devices, that accompanied their troops when they took the field [85]. Theſe ſtandards ſerved not only to diſtinguiſh one body of troops from another, and to be a centre of union to each, but they alſo contributed to animate the ſoldiers to fight with courage for their preſerva-

[83] J. Sariſburienſis de Nugis Curialium, l. 6. c. 16. p. 366.
[84] J. Brompt. Chron. col. 1048. Gervas Chron. col. 1380.
[85] Simeon Dunelm. Hiſt. col. 262.

tion; becauſe to loſe their ſtandard, was eſteemed the greateſt diſgrace. The ſhapes and devices of theſe ſtandards may be ſeen in the works quoted below [86].

Martial muſic.

The ſeveral corps in the army had bands of martial muſic, which ſerved to cheer them in their marches, to rouſe and inflame their courage in battle, and to drown the cries and groans of the wounded. Theſe martial muſicians made uſe of various inſtruments, as horns, trumpets, drums, flutes, fifes, and heroins; the laſt of which are now unknown [87]. The charge to battle was given by the ſound of all the inſtruments of martial muſic in both armies, commonly accompanied with the ſhouts or martial ſongs of the combatants [88].

Order of battle.

It is not to be imagined that any particular rule was fixed for the arrangement of the troops in the order of battle. This muſt at all times be liable to great variations, ariſing from the nature of the ground, the quality of the troops, the genius of the commanders, the diſpoſitions of the enemy, and other circumſtances. In general, however, the Normans ſeem to have drawn up their different kinds of troops in different lines, rather than to have formed them into one ſolid

86 Mr. Strutt's regal and eccleſiaſtical Antiquities of England, plate 3. His complete View of the Manners, &c. of England, vol. 1. plates 38. 46, 47.

87 Vinc. fauf. Iter Richardi Regis, l. 3. c. 2.

88 W. Pictavien. p. 201. Orderic. Vital. p. 501. Hen. Knyghton, col. 2342.

compact

compact body, which was the moſt common method of the Anglo-Saxons. In the famous battle of Haſtings, the different practice of the two nations was moſt conſpicuous. King Harold formed his whole army into one ſolid body, which made a kind of caſtle, impenetrable on all ſides, of which the royal ſtandard was the centre [89]. The duke of Normandy, on the contrary, drew up his army in three lines, according to the cuſtom of his country. "In the firſt "line (to uſe the words of a contemporary hiſ-"torian, who was a witneſs of what he relates) "he placed the foot, who were armed with bows "and arrows, or with ſlings; in the ſecond line "he placed the heavy armed foot, who were "defended with coats of mail; and in the third "line he placed his cavalry, in which his chief "ſtrength conſiſted, and among whom he was in "perſon [90]." Agreeable to this diſpoſition of the Norman army, the battle was begun by the firſt line, with a ſhower of arrows and ſtones from their bows and ſlings; which did conſiderable execution, but could not break the ſolid phalanx of their enemies, who repulſed them by throwing darts, javelins, and ſtones. The ſecond line then advanced to the attack; and was in the ſame manner repulſed. At laſt the cavalry advanced in a deep and heavy body, and with their lances and ſwords made a moſt furious aſſault upon the

[89] R. de Diceto, col. 480. J. Brompt. col. 960.
[90] W. Pictavien. p. 201.

Engliſh; who ſtill ſtood firm like a wall compoſed of ſhields and ſpears; and if they had not been tempted, by the pretended flight of their enemies, to depart from their original diſpoſition, they would have been invincible[91]. But though the above ſeems to have been the moſt common method uſed by the Normans in the arrangement of their troops; yet ſo many deviations from it occur in the deſcriptions of the battles fought in Britain and Normandy in this period, that they cannot be enumerated. In the famous battle of the Standard, for example, they adopted the Anglo-Saxon method, and formed their forces into one compact body, with the ſtandard in the centre[92]. In the great battle (to give only one example more) that was fought between Henry I. and the king of France at Brenneville in Normandy, A. D. 1119, a different diſpoſition was made by Henry, who formed the firſt and ſecond lines of cavalry, and the third of infantry[93].

Artillery. Beſides their lances, ſpears, darts, croſs bows, arrows, ſlings, which may be called the ſmall arms of the middle ages, they had a kind of field-artillery which they uſed in battle. This artillery conſiſted of certain machines made of wood, which, by various contrivances, and combinations of the mechanic powers, threw darts and ſtones with great force to a great diſ-

[91] W. Pictavien, p. 201.
[92] R. Hagulſtad de Bello Standardi, col. 322.
[93] J. Brompt. Chron. col. 1007.

tance.

tance. Such machines were uſed with ſucceſs in the famous battle of Haſtings, and in ſeveral other battles [94]. The darts that were ſhot from theſe machines, as well as from the croſs bows, were called *quarrels*; and were pointed with heavy pieces of ſteel, ſhaped like pyramids, and very ſharp, which made them very deſtructive [95]. This kind of artillery was more frequently uſed in ſea-fights, than in battles on ſhore; and in theſe fights they diſcharged not only ſtones and darts, but alſo pots full of Greek-fire, quick-lime, and other combuſtible materials [96].

Sea-fights.

As ſea-fights have been mentioned, it may not be improper to give the following deſcription of one that was fought in this period, between the Chriſtian and Turkiſh fleets, before Ptolemais, tranſlated from an author who was an eye-witneſs of what he deſcribes: "Modern ſhips of war "(ſays Geoffery de Vinefauf) are either galleys "or galliots. Galleys are long, low, and nar- "row, with a beam extended from the prow, "which is commonly called *the ſpur*, with which "they pierce the ſhips of the enemy. Galliots "have only one bank of oars, are much ſhorter, "more eaſily wrought, and fitter for throwing "fire. When both parties prepared for battle, "our men drew up their ſhips, not in a ſtraight "line, but bending a little like a creſcent,

94 W. Pictavien. p. 201. 95 Du Cange Gloſſ. voc. *Quadrillus.*
96 G. Vineſauf. Iter Richardi Regis, l. 1. c. 34. Hoveden. Annal. col. 394.

" placing the ſtrongeſt ſhips on the points, that " if the enemy attempted to break our line, " they might be ſurrounded. The ſea was per- " fectly calm and ſmooth, as if it had been pre- " pared for the occaſion, that neither the rowers, " nor combatants, might miſs their ſtrokes. " The ſignal of battle was given by the ſound of " the trumpets on both ſides, followed by " dreadful ſhouts and ſhowers of darts. Our " men, imploring the divine aſſiſtance, plyed " their oars, and puſhed the ſpurs of their " galleys againſt the ſhips of their enemies. Now " the battle raged.—Oars are entangled with " oars,—grappling-irons fix one ſhip to another, " —the combatants engage hand to hand,—and " the boards are ſet on fire by a flaming oil, " which is commonly called *Greek-fire*. This " fire hath a moſt fetid ſmell, with livid flames, " and conſumes even flints and iron: water " makes no impreſſion upon it; a ſprinkling of " ſand abates it; but it can only be extinguiſhed " by vinegar. O how terrible, how cruel, is a " ſea-engagement! Some are tortured by fire,— " ſome abſorbed by the waves,—and others expire " with wounds. One of our galleys was ſet on " fire and boarded by the Turks. The rowers " plunged into the ſea, to ſave their lives by " ſwimming; but a few knights, who were heavy- " armed, fought in deſpair, ſlew all the Turks, " and brought their galley half-burnt to land. " In another of our gallevs, the Turks ſeized " the upper bank of oars, while the Chriſtians " kept

" kept poſſeſſion of the lower, and by their " pulling different ways, it was toſſed in a " miſerable manner. In this engagement the " Turks loſt one galley and one galliot, with " their crews, while we came off triumphant and " victorious [97]."

Greek-fire.

The Greek-fire, mentioned in the above deſcription, ſeems to have been one of the moſt terrible inſtruments of deſtruction employed in military operations, before the invention of gunpowder. It was called *Greek-fire*, becauſe it was invented by the Greeks of the Eaſtern empire, who, for ſeveral centuries, kept the compoſition of it a profound ſecret. In that period, the emperors of Conſtantinople uſed to ſend quantities of this fire to princes in friendſhip with them, as the moſt valuable preſent they could give them, and as the greateſt mark of their favour [98]. But the compoſition of this liquid fire, as it is ſometimes called, ſeems to have been no longer a ſecret in the twelfth century, as it was then uſed in very great quantities, not only by the Chriſtians of all nations in the Holy Land, but alſo by the Turks [99]. It is ſaid to have been a compoſition of ſulphur, bitumen, and naphtha [100]. It had a very ſtrong and diſagreeable ſmell, as we may eaſily ſuppoſe from

97 Vineſauf. Iter Richardi Regis, l. 1. c. 34
98 Luethprand, l. 5. c. 4. Delmar. l. 3. p. 33.
99 N. Trivet. Chron ad ann. 1191.
100 Du Cange Not. ad Joinvil. p. 71.

its ingredients; burnt with a livid flame, and ſo intenſe a heat, that it conſumed not only all ſoft combuſtible ſubſtances, but even ſtones and metals [101]. When it fell, in any conſiderable quantity, upon a warrior, it penetrated his armour, and peeled his fleſh from his bones with exquiſite pain, which made it an object of great terror [102]. This liquid fire was kept in phials and pots, and in theſe was diſcharged from machines upon the enemy [103]. One of its moſt ſingular properties was, that it burnt in water, which did not in the leaſt abate its violence; but it yielded to ſeveral other things, particularly to ſand, urine, and vinegar, according to the monkiſh verſes quoted below [104]. For this reaſon, when an army made an aſſault, in which they expected to be oppoſed by Greek-fire, they provided themſelves with theſe things for its extinction. "Greek-fire (ſays Geoffrey de Vineſauf, "in deſcribing an aſſault) was diſcharged upon "them from the walls of the caſtle and city, like "lightning, and ſtruck them with great terror; "but they endeavoured to preſerve themſelves "from it, by ſand, vinegar, and other extinguiſh-"ers [105]."

101 Vineſauf. l. 1. c. 24.
102 Id. l. 2. c. 14.
103 Du Cauge, voc. *Ignis Græcus.*
104 Pereat, O Utinam, ignis hujus vena;
Non enim extinguitur aqua, ſed arena;
Vixque vinum acidum arctat ejus fræna,
Et urina ſtringitur ejus vix habena.
105 G. Vineſauf. Hiſtoria Captionis Damutæ, ch. 9.

As

As Britain abounded, in this period, in fortified towns and caſtles, much of the art of war conſiſted in defending and aſſaulting places of ſtrength. The manner in which theſe fortifications were conſtructed hath been already deſcribed [106]. They were defended by diſcharges of the various kinds of ſmall arms and artillery then in uſe, from the ramparts, and by counteracting all the arts and efforts of the beſiegers. It would be a very tedious work to enumerate all the arts and all the machines that were employed in this period in aſſaulting and defending places. For as the combinations of the mechanic powers in forming engines for burſting open gates, undermining, ſcaling, and battering walls, throwing ſtones, darts, and fire, and for oppoſing all theſe efforts, are almoſt innumerable, great ſcope was given to the genius and invention both of the beſiegers and beſieged. The conſequence of this was, that there were few ſieges of great importance in which ſome new machine was not invented. Of theſe machines above twenty different kinds are mentioned by the writers of this period [107]. But a plain deſcription of a ſiege, given by a contemporary writer, will probably be more ſatisfactory to the reader, and give him a clearer idea of the means employed in attacking and defending places, than the moſt

Attack and defence of ſtrong places.

[106] See p. 189.

[107] For the names and figures of ſome of theſe machines, ſee the Preface to Mr. Groſe's Antiquities of England, Camden's Remains, p. 200.

laborious inveſtigation of the conſtructions and uſes of all theſe machines. For this purpoſe I have choſen the relation given by an eye-witneſs of the ſiege of the caſtle of Exeter by king Stephen, A. D. 1136: "The caſtle of Exeter is "built on a lofty mount, ſurrounded with im- "penetrable walls, ſtrengthened with Cæſarean "towers. In this caſtle Baldwin de Redvers "placed a garriſon, compoſed of valiant youths, "the flower of all England, to defend it againſt "the king, to which he bound them by a ſolemn "oath, and by putting under their protection "his wife and children. When the king in- "veſted the caſtle, they mounted the walls in "ſhining armour, and treated him and his army "with ſcorn and defiance. Sometimes they "ſallied out from ſecret paſſages, when leaſt "expected, and put many of the beſiegers to "the ſword; ſometimes they poured down "ſhowers of arrows, darts, and other weapons "on the aſſailants. On the other hand, the "king and his barons laboured, with the "greateſt ardour, to diſtreſs the garriſon. Hav- "ing formed a very ſtrong and well-armed body "of foot, he aſſaulted the barbican, and, after a "fierce and bloody ſtruggle, carried it. He "next beat down, with his engines, the bridge "of communication between the caſtle and the "town: after which he erected lofty towers of "wood, with wonderful art, to protect his men, "and enable them to return the diſcharges from "the walls. In a word he gave the beſieged

" no reſt, either day or night. Sometimes his " men mounted on a machine ſupported by four " wheels, approached the walls, and engaged " hand to hand. Sometimes he drew up all the " ſlingers of the army, and threw into the caſtle " an intolerable ſhower of ſtones. Sometimes he " employed the moſt ſkilful miners to undermine " the foundations of the walls. He made uſe of " machines of many different kinds; ſome of " which were very lofty, for inſpecting what they " were doing within the caſtle; and others very " low, for battering and beating down the walls. " The beſieged, making a bold and maſterly de- " fence, baffled all his machinations with the moſt " aſtoniſhing dexterity and art [108]." After this ſiege had laſted three months, and king Stephen had expended upon it, in machines, arms, and other things, no leſs than fifteen thouſand marks, equal in efficacy to one hundred and fifty thouſand pounds of our money, the beſieged were obliged to ſurrender for want of water [109].

[108] Geſta Regis Stephani, apud Duchenſ. p. 934. [109] Id. ibid.

SECTION II.

The hiſtory of the fine or pleaſing arts of Sculpture, Painting, Poetry, and Muſic, in Great Britain, from A. D. 1066, *to* A. D. 1216.

The pleaſing arts merit attention.

MANKIND, in every ſtage of ſociety, have ſome taſte and capacity for the imitative and pleaſing arts; and from the indulgence of that taſte, and exertion of that capacity, they derive many of their moſt rational enjoyments. On this account, the ſtate of theſe arts is an object worthy of attention in every period of the hiſtory of our country.

Sculpture.

Sculpture, or the art of forming the figures of men, birds, beaſts, &c. in metal, ſtone, wood, or other materials, flouriſhes moſt under the patronage of riches and ſuperſtition, among a wealthy people addicted to idolatry. As Britain was one of the richeſt countries of Europe, in the period we are now delineating, and its inhabitants were much addicted to a ſuperſtitious veneration for the image of their ſaints, we have good reaſon to believe that ſculpture was much cultivated and encouraged. Every church had a ſtatue of its patron ſaint, while cathedrals and conventual churches were crowded with ſuch ſtatues[1]. We may form ſome judgment of the

[1] Gervaſius de Combuſtione et Reparatione Dorobernenſis Eccleſiæ, col. 1294, &c.

number of theſe ſtatues in conventual churches from the following account given by Matthew Paris, of thoſe that were erected in the abbey-church of St. Albans by one abbot: "This "abbot William removed the ancient ſtatue of "the Virgin Mary, and placed it in another "part of the church, erecting a new and more "beautiful one in its room. He did the ſame "with reſpect to the ancient crucifix, which "ſtood aloft in the middle of the church, and "another image of the Virgin Mary, that ſtood "over the altar of St. Blaſius, removing them "into the north ſide of the church, and ſubſti-"tuting others of more excellent workmanſhip "in their places, for the edification and conſola-"tion of all the laity who entered[2]. This abbot "alſo ſet up the great crucifix with its images "over the great altar[3]." Some of theſe ſtatues, if we may believe this hiſtorian, were executed in a very maſterly manner. "It muſt be men-"tioned alſo, (ſays he) to the praiſe of abbot "William, that the new ſtatue of the Virgin "Mary, which he preſented to our church, is "admirably beautiful, having been made by "Mr. Walter de Colcheſter, with the moſt ex-"quiſite art and ſkill[4]."

Baſſo and alto relievo.

Beſides ſtatues the ſculptors of this period executed many figures, and even hiſtorical pieces, in baſſo and alto relievo, as ornaments of

[2] M. Paris Vit. Abbat. p. 81. col. 1. [3] Id. p. 80. col. 1.

[4] Id. p. 81. col 1.

churches,

churches, and objects of ſuperſtitious veneration. In the ſame abbey church of St. Albans, we are told by the ſame hiſtorian, who was a monk of that abbey, there was a curious piece of this kind in wood, over the high altar: "In the middle "(ſays he) of this piece, was a repreſentation of "the Divine Majeſty, with that of a Chriſtian "church and of a Jewiſh ſynagogue. On one "hand was a ſeries of figures repreſenting the "twelve patriarchs, and on the other hand "another ſeries repreſenting the twelve apoſtles[5]." In a word, when architecture was cultivated with ſo much ardour, ſculpture could not be neglected; and when ſo many noble and magnificent churches were built, artiſts could not be wanting to adorn and furniſh them with images, which were eſteemed ſo eſſential to the worſhip that was to be performed in theſe ſacred ſtructures.

Painting. The art of painting was never wholly loſt in any of thoſe countries of Europe which had been provinces of the Roman empire. For though the barbarous conquerors of thoſe countries deſtroyed many magnificent edifices and beautiful paintings, not a few of both eſcaped their ravages, and became the objects of their admiration. Some of theſe conquerors alſo, when the rage of war was at an end, diſcovered a taſte for the fine arts, and became their patrons[6].

[5] M. Paris Vit. Abbat. p. 81. col. 2.
[6] Muratori, tom. 2. p. 355.

Even

Even the Anglo-Saxons, who were amongſt the moſt deſtructive of the northern conquerors who overturned the Roman empire, did not continue long to deſpiſe the pleaſing arts, particularly that of painting, which was practiſed by them with conſiderable ſucceſs [7]. But the Norman conqueſt contributed not a little to the improvement of the art of painting, as well as of architecture, in Britain; for the Normans being as ſuperſtitious, and more magnificent than the Anglo-Saxons, they built more beautiful churches, and adorned them with a greater profuſion of paintings. The roof, for example, of the cathedral church of Canterbury, built by archbiſhop Lanfranc, was painted, if we may believe a contemporary author, in the moſt elegant manner [8]. Aldred archbiſhop of York, who put the crown on the head of William the conqueror, added much to the magnitude and beauty of the church of St. John of Beverley. "He enlarged (ſays his "hiſtorian) the old church, by adding a new "preſbytery, which he dedicated to St. John the "Evangeliſt; and he adorned the whole roof, "from the preſbytery to the great tower, with "the moſt beautiful paintings, intermixed with "much gilding of gold, performed with admir-"able art [9]." In a word, it ſeems to have been the conſtant cuſtom of this period, to paint the

7 See vol. 4. chap. 5. p. 160.

8 Gervas de Combuſtione & Reparatione Eccleſiæ Dorobernenſ. col. 1294.

9 T. Stubbs Act. Pontific. Ebor. col. 1704.

inner

inner roofs or ceilings of cathedrals and conventual churches; but of what kind theſe paintings were, and with what degree of delicacy they were executed, we have now no means of judging, as we cannot depend very much on the taſte of the monkiſh writers of thoſe times, who ſpeak of them in the higheſt ſtrains of admiration. It is however highly probable, that theſe paintings were of the hiſtorical kind, the ſubjects of which were taken from the Scriptures: for Dudo of St. Quintin tells us, that Richard I. duke of Normandy, who died A. D. 1002, painted the inſide of a magnificent church, which he built at Rouen, with hiſtorical paintings [10].

Portrait-painting.

Portrait-paintings appear to have been very common in this period; and it is probable that there were few kings, queens, or princes, who had not their pictures drawn. The learned Montfauçon hath publiſhed prints of four pictures at full length, repreſenting William the Conqueror, his queen Matilda, and their two ſons Robert and William [11]. Theſe pictures, which are believed by many to have been drawn from the life, were painted in freſco, on the walls of a chapel belonging to the abbey of St. Stephen at Caen, which was built A. D. 1064. They are thus deſcribed: "The Conqueror was drawn "as a very tall man, clothed in a royal robe,

[10] Dudo de Actis Norman. l. 3. p. 153.

[11] Montfauçon Monumens de la Monarchie françoiſe, tom. 1. plate 55. p. 402.

"and

" and ſtanding on the back of an hound couch-
" ant: on his head was a diadem, ornamented
" with trifoils; his left hand pointed to his
" breaſt, and in his right he held a ſceptre, ſur-
" mounted with a fleur de lys. Queen Matilda
" was dreſſed in a kirtle and mantle; and had
" on her head a diadem, ſimilar to that of her
" huſband; from the under part whereof hung
" a vail, which was repreſented as falling care-
" leſsly behind her ſhoulders; in her right hand
" was a ſceptre, ſurmounted with a fleur de lys,
" and in her left a book: her feet were ſup-
" ported by the figure of a lion. Duke Robert
" was repreſented as ſtanding on a hound, and
" clad in a tunique, over which was thrown a
" ſhort robe or mantle: his head was covered
" with a bonnet; upon his right hand, clothed
" with a glove, ſtood a hawk, and in his left
" was a lure. The picture of duke William re-
" preſented him as a youth, bare-headed, dreſſed
" in the ſame habit as his brother, and ſtanding
" on a fabulous monſter: the left hand of this
" prince was clothed with a glove, and ſupported
" a falcon, which he was feeding with his right.
" Theſe paintings are ſuppoſed to have been coeval
" with the foundation of the abbey of St. Ste-
" phen, and to have been drawn from the life [12]."
The learned Montfauçon ſays, " That theſe four
" pictures have all the air and appearance of ori-
" ginals."

[12] Doctor Ducarel's Anglo-Norman Antiquities, p. 61.

There

Remarkable likeneſs of ſome portraits.

There is an anecdote preſerved by William of Malmſbury, which ſeems to indicate that portrait-painting was practiſed in great perfection in this period. A company of banditti in Flanders, who pretended to be adherents of Guibert the anti-pope, had formed a plot to intercept and rob Anſelm archbiſhop of Canterbury, in his way to Rome, A. D. 1097. The archbiſhop having received intelligence of their deſign, eſcaped by means of a diſguiſe. That he might not eſcape in the ſame manner on his return, the banditti ſent an excellent painter to Rome to draw his picture ſo exactly, that they might know him under any diſguiſe. Of this alſo the archbiſhop received intelligence; and was ſo much alarmed that he went a great way out of his road, to avoid the danger [13]. About the ſame time the pope and clergy employed the art of painting in promoting a croiſade for the recovery of the Holy Land, by ſending certain irritating pictures to the courts of princes, and expoſing them to the view of the people. In one of theſe pictures, Chriſt was repreſented tied to a ſtake, and ſcourged by an Arabian, ſuppoſed to be Mahomet; and in another an Arabian was painted on horſeback, with his horſe ſtaling on the holy ſepulchre. Theſe pictures, it is ſaid, excited the indignation both of princes and people, in a very high degree, and contributed not a little to their taking the croſs [14].

[13] W. Malmſ. de Geſtis Pontific. Angl. p. 127. col. 2.
[14] Abulfeda, l. 1. c. 3. Bohadin Vit. Salidini, ch. 80. p. 136.

Painting,

Painting, in this period, was not confined to the uſe of the church, or to the portraits of great men, but was employed to various other purpoſes; particularly to ornamenting the apartments, furniture, ſhields, &c. of perſons of rank and fortune. In the ſeventeenth of Henry III. a precept was directed to the ſheriff of Hampſhire, commanding him, "to cauſe the king's "wainſcotted chamber in the caſtle of Win-"cheſter to be painted with the ſame hiſtories "and the ſame pictures with which it had been "painted before[15]." This is an authentic proof that wainſcotting chambers, and painting the wainſcot with hiſtorical paintings, was practiſed in England ſo long before the ſeventeenth of Henry III. A. D. 1233, that the paintings were ſo much faded or tarniſhed that they needed to be renewed. Peter de Blois, archdeacon of Bath, and chaplain to Henry II. acquaints us, in one of his letters, that the great barons and military men of his time, had their ſhields and ſaddles painted with the repreſentations of battles. In that letter he cenſures the vices, and particularly the oſtentatious vanity, of theſe barons, with no little ſeverity; and, amongſt other things, ſays, "They carry ſhields into "the field ſo richly gilded, that they preſent the "proſpect of booty rather than of danger to the "enemy; and they bring them back untouched, "and, as I may ſay, in a virgin ſtate. They

Paintings of various kinds.

[15] See the Honourable Mr. Walpole's Anecdotes of Painting, p. 3.

" alſo cauſe both their ſhields and ſaddles to be " painted with repreſentations of battles and " equeſtrian combats, that they may pleaſe their " imaginations with the contemplation of ſcenes " in which they do not chuſe to engage [16]."

Painting glaſs.

The art of painting glaſs was known and practiſed in France, and very probably in England, in this period. Father Montfauçon hath given ſeveral plates of the paintings in the windows of the abbey of St. Dennis that were painted in the twelfth century, particularly a repreſentation of the progreſs of the firſt croiſade, in ten compartments [17]. This art, it is believed, was brought into England in the reign of king John [18].

Illuminations of books.

There was a kind of miniature painting much practiſed in Britain in this period, and of which many curious ſpecimens are ſtill remaining. This was called *illuminating* (from which limning is derived); and was chiefly uſed, as we now uſe copper-plates, in illuſtrating and adorning the Bible and other books. This art was much practiſed by the clergy, and even by ſome in the higheſt ſtations in the church: " The famous " Oſmund (ſays Brompton), who was conſecrated " biſhop of Saliſbury A. D. 1076, did not diſ- " dain to ſpend ſome part of his time in writing, " binding, and illuminating books [19]." Mr.

[16] Operà Petri Bleſenſis, ep. 94. p. 146, 147.
[17] Montfauçon Monumens, &c. tom. 1. p. 384.
[18] Mr. Walpole's Anecdotes of Painting, p. 5. note.
[19] J. Brompt. Chron. col. 977.

Strutt

Strutt hath given the public an opportunity of forming ſome judgment of the degree of delicacy and art with which theſe illuminations were executed, by publiſhing prints of a prodigious number of them, in his two works quoted below [20]. In the firſt of theſe works, we are preſented with the genuine portraits, in miniature, of all the kings, and ſeveral of the queens, of England, from Edward the Confeſſor to Henry VII. moſtly in their crowns and royal robes, together with the portraits of many other eminent perſons of both ſexes.

Art of preparing colours.

The illuminators and painters of this period ſeem to have been in poſſeſſion of a conſiderable number of colouring-materials, and to have known the arts of preparing and mixing them, ſo as to form a great variety of colours. In the ſpecimens of their miniature-paintings that are ſtill extant, we perceive not only the five primary colours, but alſo various combinations of them. There is even ſome appearance that they were not ignorant of the art of painting in oil, from the following precept of Henry III. dated only twenty-three years after the concluſion of this period: "Pay out of our treaſury, to Odo the "goldſmith, and Edward his ſon, one hundred "and ſeventeen ſhillings and ten pence, for oil, "varniſh, and colours bought, and pictures "made, in the chamber of our queen at Weſt-

[20] The Regal and Eccleſiaſtical Antiquities of England, London 1773; View of the Cuſtoms, &c. of England, 1774.

" minſter, between the octaves of the Holy Tri-
" nity, in the twenty-third year of our reign,
" and the feaſt of St. Barnabas the apoſtle, in
" the ſame year, which is fifteen days [21]." This
" was a conſiderable ſum (equal in quantity of ſilver to ſeventeen pounds fourteen ſhillings of our money, and in efficacy to eighty-eight pounds) to be expended in painting one chamber in ſo ſhort a time.

Poetry. As the Normans were more learned, and no leſs fond of poetry than the Anglo-Saxons, that moſt pleaſing and delightful art, eſpecially Latin poetry, was cultivated with no leſs ardour, and with greater ſucceſs, in this than in the former period. On this account it may be proper to pay a little more attention to this than to any of the other arts.

Imperfect ſtate of the Engliſh language. The vernacular language of England, in this period, was in ſuch an imperfect and unſettled ſtate, that it was hardly fit for tranſacting the common buſineſs of ſociety, and very improper for the ſublime and melodious ſtrains of poetry. No ſciences were taught, few letters were written, few accounts were kept, few treatiſes in proſe, on any ſubject, were compoſed in that language [22]. But ſo ſtrong a propenſity to poetry prevailed, that a prodigious number of poems on different ſubjects, and in various kinds of verſe, were written in that crude unformed tongue.

[21] Mr. Walpole's Anecdotes of Painting, vol. 1. p. 6.
[22] See chap. 7.

Many

Many of our beſt poets indeed in this period, ſenſible of the imperfection of their native language, wrote their poems in Latin, and ſome in the Romance or Provençal tongue. This makes it neceſſary to give a very brief account, 1. of the Engliſh; 2. of the Latin; and 3. of the Provençal poetry of this period.

As many of the poets of this period were clerks and monks, many of their poems were on religious ſubjects. Of this kind is a tranſlation of the Old and New Teſtament into Engliſh verſe, ſuppoſed to have been made before the year 1200,—a verſion of the pſalms, made about the ſame time,—and a large volume of the lives of the ſaints [23]. The only ſpecimen of theſe poems our limits can admit, is the following verſion of the hundredth pſalm: Engliſh poetry.

Mirthes to God al erthe that es
Serves to Louerd in faines.
In go yhe ai in his ſiht,
In gladnes that is ſo briht.
Whites that louerd god is he thus
He us made und our ſelf noht us,
His folk and ſhep of his fode:
In gos his yhates that are gode:
In ſchrift his worches belive,
In ympnes to him yhe ſchrive.
Heryhes his name for Louerd is hende,
In all his merci do in ſtrende and ſtrande [24].

The minſtrels of thoſe times had a ſet of ſongs of a religious caſt, and on religious ſubjects, Sundays ſongs.

[23] Mr. Warton's Hiſtory of Engliſh Poetry, p. 19. 23. 12.
[24] Id. ibid. p. 23.

which they ſung to their harps, in the courts of kings, and in the halls of barons, on Sundays, inſtead of thoſe on love and war, and ſuch ſubjects, which they ſung on other days. The following lines are the exordium of one of theſe Sunday-ſongs:

The viſions of Seynt Poul won he was rapt into Paradys.

Luſteneth lordynges leof and dere,
Ze that wolen of the Sonday here;
The Sonday a day hit is
That angels and archangels join i wis,
More in that ilke day
Than any odur, &c. [25]

Hymns. The monks, and other clerical poets of this period, compoſed many ſhort hymns, in various kinds of verſe. The following ſtanza of one of theſe hymns may ſerve as a ſpecimen. The ſubject of it is our Saviour's crucifixion:

I ſyke when y ſinge for ſorewe that y ſe
When y with wypinge bihold upon the tre,
Ant ſe Jheſu the ſuete
Is hert blod for lete,
For the love of me;
Ys woundes waxen wete,
Thei wepen, ſtill and mete,
Marie reweth me [26].

Love-ſongs. Religion was not the only ſubject of the Engliſh poetry of this period. Love, the favourite theme

[25] Mr. Warton's Hiſtory of Engliſh Poetry, p. 19. note.
[26] Id. ibid. p. 33.

of

of many poets, produced its ſhare of verſes. The following little poem, in which the poet compares his miſtreſs to a great variety of gems and flowers, may ſerve as a ſpecimen of this kind of poetry, and of that alliteration which was eſteemed a great beauty in this period:

Ic hot a burde in a bour, aſe beryl ſo bryght,
Aſe ſaphyr in ſelver ſemely on ſyght,
Aſe jaſpe the gentil that lemeth with lyght,
Aſe gernet in golde and rubye wel ryht,
Aſe onycle he is only holden on hyht:
Aſe a diamand the dere in day when he is dyht:
He is coral yend with Cayſer and knyght,
Aſe emeraude a morewen this may haveth myht.
The myht of the margaryte haveth this mai mere,
Ffor charbocele iche hire chaſe bi chyn and bi chere,
Hire rede ys as roſe that red ys on ryſe,
With lilye white leves loſſum he ys,
The primros he paſſeth, the penenke of prys,
With aliſaundre thareto ache and anys:
Coynte as columbine ſuch hire cande ys,
Glad under gore in gro and in grys
Heo is bloſme upon bleo brighteſt under bis
With celydone ant ſange as thou thi ſelf ſys,
From Weye he is wiſiſt into Wyrhale,
Hire nome is in a note of the nyhtigale;
In a note is hire nome nampneth hit non
Who ſo ryht redeth ronne to Johon [27].

Several ſatirical poems appear among the remains of the Engliſh poetry of this period. Some of theſe are general ſatires againſt monks, biſhops, lawyers, phyſicians, and people of other Satirical poems.

[27] Mr. Warton's Hiſtory of Engliſh Poetry, p. 32.

profeſſions. That part of a very curious ſatire againſt monks, in which the author laſhes them for their incontinence, may ſerve as an example of this kind of poetry. After the ſatiriſt had deſcribed the delightful ſituation, magnificent fabric, and great proviſion of meats and drinks of an abbey, with the indolence, gluttony, and drunkenneſs of its monks, he proceeds thus:

An other abbai is ther bi
For ſoth a great nunnerie;
Up a river of ſwet milk
Whar is plente grete of ſilk.
When the ſummeris dai is hote,
The yung nunnes takith a bote,
And doth ham forth in that river
Both with oris and with ſtere:
Whan hi beth fur from the abbei
Hi makith him nakid for to plei,
And leith dune into the brimme
And doth him ſteilich for to ſwimme:
The yung monkes that hi ſeeth
Hi doth ham up, and forth he fleeth,
And comith to the nunnes anon,
And euch monk him takith on,
And ſnellich berith forth har prei
To the mochill grei abbei,
And techith the nonnes an oreiſun
With jambleus up and dun.
The munke that wol be ſtuluu gode,
And can ſet a riyt his hode,
He ſchal hab withoute danger
xii wives each yer,
Al throy riyt and noyt throy grace,
For to do himſilf ſolace.

And

And thilk monke that clepeth beſt
And doth is likam all to reſt,
Of him is hope, God hit wote,
To be ſone vader abbot [28].

It was far from being ſafe at this time to write ſatirical verſes againſt particular perſons, eſpecially againſt thoſe in power. Henry I. A. D. 1124, condemned one Luke de Barra to have his eyes pulled out, for having written defamatory ballads againſt him; and when the earl of Flanders very warmly interceded for the unhappy poet, the king replied, "This man, "being a wit, a poet, and a minſtrel, hath "compoſed many indecent ſongs againſt me, "and ſung them openly, to the great enter- "tainment and diverſion of my enemies. Since "it hath pleaſed God to deliver him into my "hands, he ſhall be puniſhed, to deter others "from the like petulance [29]." This cruel ſentence was accordingly executed on the unfortunate ſatiriſt; who died of the wounds he received in ſtruggling with the executioner. Danger of writing ſatirical poems.

But though the kings and great men of thoſe times were thus impatient of ſatire, they were fond enough of panegyrics; which produced poems of that kind in great abundance. The famous William Longchamp, biſhop of Ely, chancellor and chief juſticiary of England, the Panegyrics.

[28] Hickeſii Theſaur. tom. 1. p. 132, 133. Warton's Hiſtory of Engliſh Poetry, p. 14.

[29] Orderic. Vital. p. 880, 881.

pope's

pope's legate, and the great favourite of Richard I. (if we may believe his brother Hugh Nunant biſhop of Cheſter), "kept a number "poets in his pay, to make ſongs and poems in "his praiſe; and allured the beſt ſingers and "minſtrels by great gifts, to come over from "France, and ſing theſe ſongs in the ſtreets of "the ſeveral cities of England[30]." Matilda, queen of Henry I. was ſo generous, or rather ſo profuſe a patroneſs of poets, that they crowded to her court from all parts to preſent her with their panegyrics[31]. So much were the muſes both courted and dreaded by the great in this period!

Elegies, paſtorals, &c.

Among the remains of the Engliſh poetry of the twelfth century, are ſeveral elegiac, paſtoral, and deſcriptive poems; but for ſpecimens of theſe, I muſt refer the reader to the very curious work quoted below, to which I have been ſo much indebted in this article[32].

Latin poetry.

The unſettled ſtate of the Engliſh language, fluctuating between the Norman, ſpoken by one part of the people, and the Saxon, by another, was, no doubt, one reaſon why the Latin language was ſtudied with ſo much ardour in England in this period; and that not only all our divines, philoſophers, and hiſtorians, but alſo many of our poets, wrote in that language. Se-

[30] Benedict Abbas, ad ann. 1191.

[31] W. Malmſ. l. 5. p. 93. col. 1.

[32] Mr. Warton's Hiſtory of Engliſh Poetry, p. 29, &c.

veral

veral learned men, whom we have already mentioned for their other works, were excellent Latin poets, and in that capacity claim a little of our attention.

Henry of Huntington, the hiſtorian, was alſo a voluminous Latin poet, and wrote ſeveral books of epigrams and love-verſes, and a poem upon herbs. This we are told by himſelf, in the concluſion of his curious letter on the contempt of the world: Henry of Huntington.

> Henricus tibi ſerta gerens, epigrammata primum,
> Prælia mox Veneris gramina deinde tuli [33].

His invocation of Apollo, and the goddeſſes of Tempe, in the exordium of his poem on herbs, may ſerve as a ſpecimen of his poetry:

> Vatum magne parens, herbarum Phœbe repertor,
> Voſque, quibus reſonant Tempe jocoſa, Deæ!
> Si mihi ſerta prius hedera florente paraſtis,
> Ecce meos flores, ſerta parate, fero [34].

The famous John of Saliſbury was not only well acquainted with the beſt Roman poets, as appears from the numerous quotations from them in his works, but was himſelf no contemptible Latin poet. His poem prefixed to his book, *De nugis curialium*, is equally elegant and witty. It is an addreſs to his book, containing many directions for its conduct; from which the follow- John of Saliſbury.

[33] Anglia Sacra, tom. 2. p. 702.
[34] Leland. de Script. Britan. tom. 2. p. 198.

ing-verſes, alluding to the title of his work, may be given as a ſpecimen:

Nuſquam divertas ne quis te lædat euntem,
Nugarum luat garrula lingua notas.
Omnia, ſi neſcis, loca ſunt pleniſſima nugis;
Quarum tota cohors eſt inimica tibi.
Eccleſia nugæ regnant, et principis aula;
In clauſtro regnant, pontificiſque domo.
In nugis clerus, in nugis militis uſus;
In nugis juvenes, totaque turba ſenum.
Ruſticus in nugis, in nugis ſexus uterque;
Servus et ingenuus, dives, egenus, in his[35].

Eadmer, &c.

Eadmer, William of Malmſbury, Peter of Blois, Girald Barry, and ſeveral others of whom we have already given ſome account, have left proofs of their proficiency in Latin poetry, as well as in other parts of learning; but extracts from their works would ſwell this ſection beyond its due proportion. It will be more proper to take a little notice of a very few of the Latin poets of this period, who addicted themſelves chiefly to poetry, and who have not yet been mentioned.

Hanvill.

John Hanvill, or Hautvill, a monk of St. Albans, flouriſhed towards the end of the twelfth century, and was far from being a contemptible Latin poet. His chief work was a kind of moral heroic poem, in nine books, the hero of which he calls *Architrienius*, who travelled over the world, and every where found reaſon to lament the follies, vices, and miſeries of mankind. He

[35] J. Sariſburien. ad opus ſuum.

dedicated this work to his great friend and patron Walter de Conſtans, who was made biſhop of Lincoln A. D. 1183. A few lines from the dedication will enable the reader to form ſome idea of his ſtyle and manner?

O cujus ſtudio, quo remige navigat æſtu,
Mundanoque mari tumedis exempta procellis,
Lincolniæ ſedes! O quem non præterit æqui
Calculus! O cujus morum redolentia cœlum
Spondet, et eſſe nequit virtus altiſſima major,
Indiviſa minor: cujus ſe nomen et aſtris
Inſerit, et famæ lituo circumſonat orbem [36].

Beſides his Architrenius, he wrote a volume of Latin epigrams, epiſtles, and ſmaller poems, which (as an excellent judge who peruſed them declares) have conſiderable merit [37].

Joſephus Iſcanus (Joſeph of Exeter) was the prince of Latin poets in this period we are now examining, and wrote two heroic poems. The Trojan war was the ſubject of one of theſe poems, which conſiſted of ſix books, and was dedicated to Baldwin, archbiſhop of Canterbury. The ſubject of the other, which was called *Antiocheis*, was the croiſade, in which his ſovereign Richard I. and his patron archbiſhop Baldwin were engaged. Of the beauty and excellence of the firſt of theſe poems we have an opportunity of judging, becauſe it is ſtill extant, and hath been publiſhed [38]. "The diction is

Joſeph of Exeter.

[36] Bulæi Hiſt. Univerſitat. Pariſien. tom. 2. p. 458.
[37] Mr Warton's Hiſt. of Engliſh Poetry, diſſertation 2.
[38] At Baſil, 8vo, 1541. At Amſterdam, 4to, 1702.

"generally

" generally pure, the periods round, and the " numbers harmonious; and, on the whole, " the ſtructure of the verſification approaches " nearly to that of poliſhed Latin poetry [39]." It is hardly poſſible to dip into any part of this poem, which conſiſts of no fewer than three thouſand ſix hundred forty-ſix lines, without finding paſſages that will juſtify this favourable opinion of its merit; and therefore I ſhall go no further for an example than to the exordium, in which the ſubject is propoſed with great plainneſs and ſimplicity:

Iliadum lachrymas, conceſſaque Pergama fatis,
Prælia bina ducum, bis adactam cladibus urbem,
In cineres, querimur: ſlemuſque quod Herculis ira,
Heſiones raptus, Helenæ fuga fregeret arcem,
Impulerit Phrygios Danaas exciverit urbes [40].

The Antiocheis is unhappily loſt, except a ſmall fragment, in which the ancient heroes of Britain are celebrated in a ſtrain not unworthy of the Mantuan bard. Of the famous prince Arthur our poet ſings thus:

Hinc, celebri fato, felici floruit ortu,
Flos regum Arthurus * * * *
* * * * * * * *
* * * * Quemcunque priorum
Inſpice: Pellæum commendat fama tyrannum,
Pagina Cæſareos loquitor Romana triumphos.

39 Mr. Warton's Hiſt. Eng. Poet. diſſertat. 2.

40 Joſephi Iſcani de Bello Trojana, Libri Sex, cum notis Dreſemii, Amſtelæd. 1702.

Alciden

Alciden domitis attolit gloria monſtris;
Sed nec pinetum coryli, nec ſydera ſolem
Æquant. Annales Graios Latioſque revolve,
Priſca parem n-ſcit, æqualem poſtera nullum
Exhibitura dies. Reges ſupereminet omnes:
Solus præteritis melior, majorque futuris [41].

Alexander Necham was another elegant Latin poet, who flouriſhed in England at the ſame time with Joſeph of Exeter. He was born and educated at St. Alban's, as appears from the following verſes, which may ſerve alſo as a ſpecimen of his poetry: Alexander Necham.

* * * * * Clauſtrum
Martyris Albani ſit tibi tuta quies.
Hic locus ætatis noſtræ primordia novit,
Annos felices, lætitiæque dies.
Hic locus ingenuis puerilis imbuit annos
Artibus, et noſtræ laudis origo fuit.
Hic locus inſignes magnoſque creavit alumnos,
Felix eximio martyre, gente ſitu.
Militat hic Chriſto, noctuque dieque labori
Indulgit ſancto religioſa cohors [42].

Walter Mapes, the jovial and witty archdeacon of Oxford, and chaplain to Henry II. was a good Latin poet, and a voluminous writer. His poems were chiefly of a ſatirical or feſtive ſtrain, and in the rhyming kind of verſes, commonly called *Leonine*, which were much uſed by the minor poets of thoſe times. Three ſtanzas from his ſatire on Pope Innocent, for prohibiting Walter Mapes.

[41] Camden's Remains, p. 314. Warton. Hiſt. Poet. diſſertat. 2.
[42] Id. ibid.

the

the marriage of the clergy, will give us ſome idea of his ſatirical vein; and his famous ode on drinking, will be a ſufficient ſpecimen of his feſtive lays:

O quam dolor anxius, quam tormentum grave,
Nobis eſt dimittere quoniam eſt ſuave!
O Romane pontifex, ſtatuiſti prave,
Ne in tanto crimine moriaris cave.
Non eſt Innocentius, immo nocens vere,
Qui quod facto docuit, ſtudet abolere:
Et quod olim juvenis voluit habere,
Modo vetus pontifex ſtudet prohibere.
Ecce jam pro clericis multum allegavi,
Necnon pro preſbyteris plura comprobavi.
Pater noſter nunc pro me, quoniam peccavi,
Dicat quiſque preſbyter, cum ſua ſuavi [43].

Ode on Drinking.

Mihi eſt propoſitum in taberna mori,
Vinum ſit oppoſitum morientis ori:
Ut dicant, cum venerint, angelorum chori,
Deus ſit propitius huic potatori.
Poculis accenditur animi lucerna.
Cor imbutum nectare volat ad ſuperna;
Mihi ſapit dulcius vinum in taberna,
Quam quod aqua miſcuit præſulis pincerna.
Suum cuique proprium dat natura munus,
Ego nunquam potui ſcribere jejunus;
Fortè jejunum vincere poſſit puer unus;
Sitim et jejunium odi tanquam funus.
Unicuique proprium dat natura bonum,
Ego verſus faciens, vinum bibo bonum,
Et quod habent melius dolia cauponum,
Tale vinum generat copiam ſermonum.

[43] Camden's Remains, p. 334, 335.

Tales

Tales verſus facio, quale vinum bibo,
Nihil poſſum ſcribere, niſi ſumpto cibo;
Nihil valet penitus, quod jejunus ſcribo,
Naſonem poſt calices carmine præibo.
Mihi nunquam ſpiritus prophetiæ datur
Niſi tunc cum fuerit venter bene ſatur;
Cum in arce cerebri Bacchus dominatur,
In me Phœbus irruit, ac miranda fatur [44].

Among the Engliſh monks of this period, there were many ſmart ſatirical epigrammatiſts; a conſiderable number of their epigrams, which are far from being contemptible, are ſtill preſerved. Our limits will only allow us to admit one of Godfrey's, who was prior of Wincheſter A. D. 1100, on an abbot, who protected his monks from others, but oppreſſed them himſelf: Epigrammatiſts.

Tollit ovem de fauce lupi perſæpe moloſſus
Ereptamque lupo ventre recondit ovem.
Tu quoque Sceva tuos prædone tueris ab omni,
Unus prædo tamen perdis ubique tuos [45].

Latin elegies and epitaphs were written upon almoſt all the kings, princes, prelates, and other eminent perſons who died in England in this period; and not a few of theſe performances approach to claſſical purity of diction [46]. In a word, every kind of Latin poetry was cultivated by the clergy and monks of the twelfth century with a degree of ſucceſs that will hardly be credited by thoſe who are not acquainted with their writings. Elegies, &c.

44 Camden's Remains, p. 332, 333. 45 Id. p. 325.
46 Oderic. Vital. paſſim. Camden's Remains, p. 321. &c. 360, &c.

Romance language and poetry.

The language which the Normans brought with them into England, was that which was called *lingua Romana*, or the Romance language, which was the vulgar tongue of all the provinces of France in the eleventh and twelfth centuries [47]. In this language the Normans had already compoſed many poems and ſongs, one of which was ſung by the champion Taillifer, at the head of the Norman army, before the battle of Haſtings, as we learn from the following lines of maſter Wace, an Anglo-Norman poet of this period [48]:

Taillifer, qui moult bien chantoit,
Sur un cheval qui toſt alloit,
Devant eus alloit chantant,
De l'Allemaigne et de Rollant,
Et d'Oliver, et de Vaſſaux,
Que moururent a Rainſchevaux [49].

It was in this *lingua Romana* or Romance tongue (the daughter of the Latin, and mother of the French), that many metrical romances were compoſed by the French and Normans of the eleventh and twelfth centuries: and it was from the language in which they were written, rather than from the extravagant fables which they commonly contained, that theſe poems were called Romances [50]. In the exordium of a metrical life of Tobiah, written by a monk at the deſire of the abbot of Kenelworth, the language

47 See chap. 7. 48 W. Malmſ. l. 3. p. 57. col. 1.
49 Hiſtoire Literaire de la France, tom. 7. Advertiſſement, p. 73.
50 Id. ibid. Du Cange Gloſſ. voc. *Romances*, l. 5. p. 1489.

in which it is compoſed is called the *Roman* or *Romance*:

Le prior G willeymè me prie,
De l'eglyſe ſeynte Marie
De Kenelworth an Ardenne,
Ki porte le plus haute peyne
De charite, ke nul eglyſe
Del reaume a devyſe
Ke jeo liz en romaunz le vie
De kelui ki ont nun Tobie, &c 51.

Some of the French and Norman poets of this period pretended, at leaſt, that their poems were true hiſtories, though they gave them the title of Romances, on account of the language in which they were written. Of this kind was the long hiſtorical poem of Maiſter Robert Wace, chaplain to Henry II. which is ſometimes called *Roman de Rois d'Angleterre*, and ſometimes *Roman le Rou, et les vies des Ducs de Normandie* 52. Robert de Brunne, in the prologue to his tranſlation of one of theſe metrical hiſtorical poems, written by an Anglo-Norman, ſays the language of his original was called Romance: Romances.

Frankis ſpech is cald Romance,
So ſais clerkes and men of France.
Pers of Langtoft, a chanon
Schaven in the houſe of Bridlyngton
On Frankis ſtyle this ſtorie he wrote
Of Inglis kings, &c. 53.

Many of theſe poems, which were originally written in Romance, becauſe it was the language

51 Wartoni Hiſt. Poet. p. 85. 52 Id. p. 62, 63. 53 Id. p. 66.

of their authors, and of the court and nobility to whom they were addreſſed, were ſoon after tranſlated into the Engliſh of thoſe times, for the entertainment of the native Engliſh, who were called *lewed*, i. e. ignorant men. This is the motive aſſigned by Robert de Brunne for his tranſlating one of theſe poems:

> For lewed men I undyrtoke,
> In Englyſhe tongue to make this boke:
> For many beyn of ſuch manere
> That talys and rymys wyle bleihty here [53].

Provençal poetry.

The Provençal poets were very famous in the twelfth and thirteenth centuries, not only in their own, but in ſeveral neighbouring countries. They were called *Troubadours*, or *Finders*, from the fertility of their invention; and were in reality the fathers of modern poetry. No poets were ever more loved, admired, and cheriſhed, than theſe Provençal bards. They were invited to the courts of the greateſt princes, where they became the delight of the brave, and the favourites of the fair, by celebrating the atchievements of the one, and the charms of the other, in their poems. In a word, the admiration which they acquired was ſo flattering, that ſeveral ſovereign princes became Troubadors, and wrote poems in the Provençal language, which was then the moſt perfect of all the modern languages of Europe [54]. Richard I. of England was one of

[53] Wartoni Hiſt. Poet. p. 59.

[54] Hiſtoire Literaire des Troubedours, à Paris, 1774.

theſe royal ſongſters; ſome of whoſe poems, in the Provençal tongue, are ſtill extant; and one of them hath been publiſhed in the very curious work quoted below [55]. The firſt ſtanza of that poem, which was compoſed in priſon in Germany, with a tranſlation, is all the ſpecimen of this kind of poetry that our limits will admit:

Ja nus hom pris non dira ſa raiſon,
Adreitament ſe com hom dolent non:
Ma per conort pot il faire chanſon.
Pro a d' amis, mas poure ſon li don.
Ontai i auron ſe por ma reezon,
Sois fait dos yver pris [56].

No priſoner his condition can explain,
But he will fall into a plaintive ſtrain.
Yet to divert his ſorrows he may ſing,
Though he have friends, how poor the gifts they bring!
Shame be on them! my ranſom they deny,
And I in priſon two long winters lie.

Muſic. In times when poetry was ſo much cultivated, we may be certain, that muſic could not be neglected, eſpecially when we conſider, that the union between theſe two arts was much greater in thoſe times than it is at preſent. For in the middle ages, almoſt all the poets of France and England, like the ancient bards of Gaul and Britain, were muſicians, and ſung their verſes to the muſic of their harps [57]. Theſe poetical muſi-

[55] A Catalogue of the Royal and Noble Authors of England, vol. 1. p. 6.

[56] Hiſtoire de Traubodours, tom. 1. p. 59.

[57] See Dr. Percy's curious Preface to his Reliques of Antient Engliſh Poetry.

cians, commonly called *minſtrels*, were the delight of princes, prelates, and barons, who entertained them in their courts and caſtles, and laviſhed upon them much of their wealth [58]. Matilda, queen of Henry I. was ſo fond of muſic, and ſo profuſely generous to muſicians and poets, that ſhe expended almoſt all her revenues upon them, and even oppreſſed her tenants, in order to procure money to reward them for their ſongs [59]. John of Saliſbury cenſures the great people of his time, for imitating Nero in his extravagant fondneſs for muſicians; and ſays that "they proſtituted their favour, "by beſtowing it on minſtrels and buffoons; "and that, by a certain fooliſh and ſhameful "munificence, they expended immenſe ſums of "money on their frivolous exhibitions [60]." "The "courts of princes (ſays another contemporary "writer) are filled with crowds of minſtrels, "who extort from them gold, ſilver, horſes, "and veſtments, by their flattering ſongs. I "have known ſome princes who have beſtowed "on theſe miniſters of the devil, at the very "firſt word, the moſt curious garments, beau-"tifully embroidered with flowers and pictures, "which had coſt them twenty or thirty marks of "ſilver, and which they had not worn above "ſeven days [61]." An art that was ſo highly

[58] M. Paris, p. 114. col. 1. [59] W. Malmſ. p. 93. col. 1.
[60] J. Sariſburien. Policrat. l. 1. c. 8. p. 32.
[61] Rigordus ad an. 1185.

honoured,

honoured, and ſo liberally rewarded, could not fail to flouriſh.

Both the vocal and inſtrumental muſic of this period was of three kinds, viz. ſacred, civil, and martial. Of the laſt, enough hath been already ſaid[62]. Of the ſtate of the other two it may be proper to give a very brief account.

Sacred or church muſic was cultivated with great ardour by the Britiſh clergy of all ranks in this period, both becauſe it attracted the people to the church, and becauſe it rendered the performance of the public ſervice more ageeeable to themſelves. The Anglo-Norman clergy, in particular, applied with much diligence and ſucceſs to this delightful art: of which it may not be improper to give one example, out of many that might be given. Thomas, the firſt Norman archbiſhop of York, who was advanced to that ſee by William the Conqueror, A. D. 1070, was one of the moſt pious and learned prelates of the age in which he flouriſhed[63]. Having a fine voice, and a great taſte for muſic, he made that art his particular ſtudy, and attained to great perfection in it, both in theory and practice[64]. He compoſed many pieces of muſic for the uſe of his cathedral, in a grave, ſolemn, manly ſtyle, avoiding all light effeminate airs, as unſuitable to the nature of religious worſhip. When he heard any of the ſecular minſtrels ſing a tune

Church muſic.

62 See p. 208. 63 T. Stubbs de Pontific. Ebor. col. 1705.
64 W. Malmſ. de Geſtis Pontific. Angl. p. 155. col. 2.

which pleaſed him, he adopted and formed it for the uſe of the church, by ſome neceſſary variations [65]. "There was nothing (ſays one of his "hiſtorians) which archbiſhop Thomas ſtudied ſo "much as to have a good and virtuous clergy "in his cathedral. With them he ſometimes "read, ſometimes diſputed, ſometimes ſung, or "played upon the organ: he even ſpent ſome of "his leiſure-hours in making organs, and in "teaching his clergy to make them, and to ſet "hymns both in proſe and verſe to muſic [66]." When ſo great and learned a prelate employed ſo much of his time in the ſtudy and practice of church-muſic, and was ſo highly commended for it, we have reaſon to think that it was an object of great and general attention among the clergy.

The gamut invented.

The invention of the new muſical ſcale, or modern gamut, by an Italian monk named *Guido Aretine*, a native of Arezzo, about A. D. 1022, contributed not a little to increaſe the rdour of the clergy in their application to muſic, y facilitating the acquiſition of muſical knowedge. This invention made a mighty noiſe in he church at that time. The author of it was ent for thrice to Rome, to explain and teach it o the clergy of that city [67]. Aretine, in a letter o the pope, affirms, that any perſon, by the help

[65] W. Malmſ. de Geſtis Pontific. Angl. p. 155. col. 2.
[66] Stubbs de Pontific. Ebor. col. 1709.
[67] See Bayle's Dictionary, article *Guido Aretine*.

of

of his invention, may make as great proficiency in muſic in one year, as before he could have made in ten. He inſinuates to his Holineſs, that he had been inſpired by Heaven with this happy thought, which had atoned for all his ſins, and ſecured the ſalvation of his ſoul [68]. There is no room to doubt that this invention was well known to archbiſhop Thomas, who had ſpent ſome time at Rome ſoon after his elevation to the ſee of York, and that it was by this ſcale that he and the other Engliſh compoſers of this period regulated their muſical compoſitions.

Corruption of church-muſic.

The church muſic of Britain did not continue long in the grave and ſolemn ſtyle. Before the end of the twelfth century it had loſt the primitive ſimplicity of plain ſong, and become ſoft, effeminate, and artificial, in a very high degree. Of this change in the church-muſic of his time, John of Saliſbury thus complains: "This ſoft "effeminate kind of muſic hath even debaſed "the dignity, and ſtained the purity of religious "worſhip. For in the very preſence of God, "and in the centre of his ſanctuary, the ſingers "endeavour to melt the hearts of the admiring "multitude with their effeminate notes and "quavers, and with a certain wanton luxuriancy "of voice. When you hear the ſoft and ſweet "modulations of the choiriſters; ſome leading, "others following; ſome ſinging high, others "low; ſome falling in, others replying; you

[68] Baron. Annal. ad ann. 1022.

"imagine

"imagine you hear a concert of ſirens, and not "of men; and admire the wonderful flexibility "of their voices, which cannot be equalled by "the nightingale, the parrot, or any other crea- "ture, if there be any other more muſical. Such "is their facility in riſing and falling, in quavering, "ſhaking, and trilling, in blending and tempering "all the different kinds of ſounds, that the ear "loſes its capacity of diſtinguiſhing, and the "mind, overpowered with ſo much ſweetneſs, "cannot judge of the merit of what it hears. "When they have thus far departed from the "bounds of moderation, they are more apt to "excite unhallowed paſſions than devout affections "in the hearts of men[69]." Though this muſic was certainly very much miſplaced when it was introduced into the church; yet, if it really anſwered the deſcription which is here given of it, we cannot entertain a very contemptible opinion, either of the ſkill of the compoſers, or of the ability of the performers.

Civil muſic.

By civil muſic is to be underſtood that which was in common uſe in civil ſociety, for alleviating the cares and labours of the poor, and exhilarating the feſtivities of the rich. The minſtrels, a very numerous and much-reſpected order of men, were the profeſſors and practitioners of this pleaſing art, from their excellence in which they derived all their honours and advantages. Not being under the ſame reſtraints

[69] Sariſburien. Policrat. l. 1. c. 6 p. 28, 29.

with

with the compoſers for the church, they indulged their imaginations, and invented tunes of many different kinds, from the moſt ſlow and ſolemn, to the moſt quick and joyous.

Genius of the muſic of the different Britiſh nations.

In general, as we are told by Giraldus Cambrenſis, the genius of the Engliſh muſic was ſlow and grave, while that of the Scotch, Iriſh, and Welſh muſic, was quick and gay[70]. The ſame writer expreſſes great ſurpriſe at the maſterly execution of theſe three laſt nations on the harp: "It is wonderful, that in ſuch quick and rapid "motions of the fingers any muſical proportion "is preſerved, and that without violating any of "the rules of art, the muſic is rendered harmo- "nious, in the midſt of warbling and intricate "modulations, by ſounds, rapid yet ſweet, un- "equal yet proportioned, diſcordant yet conſo- "nant, and the harmony is completed, whether "they play upon fourths or fifths. They always "begin upon B flat, and return upon the ſame, "which makes the whole uniformly ſweet and "ſonorous. They begin and end their modula- "tions with ſo much delicacy, and intermix the "ſounds of the baſs ſtrings, with the wanton "and ſportive tinklings of the treble, in ſuch a "manner, that by the excellency of their art, "they even conceal their art. Hence it is "that thoſe who are intimately acquainted with "the theory of muſic are penetrated and tranſ- "ported with delight, while thoſe who are

[70] G. Cambrenſ. Topograph. Hibern. l. 3. c. 2. p. 739.

"ignorant

" ignorant of the rules of art are apt to be teaſed " and wearied with what appears to them a " confuſed and noiſy jumble of diſcordant " ſounds [71]."

Counter-point.

From the account which is given by the ſame writer, of the manner in which the people of Wales, and of the north of England, ſung their ſongs, it ſeems to be very evident that they were not unacquainted with the laws, or at leaſt with the practice, of harmony, or counter-point: " In " Wales (ſays he) they do not ſing in one uni- " form muſical modulation, as in other places, " but in ſeveral different tones or modulations, " in ſo much that in a company of ſingers you " hear almoſt as many different parts as there " are voices, all forming one pleaſing delightful " harmony in B flat. The Engliſh alſo, in the " country about York, and beyond the Hum- " ber, uſe a ſimilar ſymphonious harmony in " ſinging, conſiſting only of two parts, the one, " the deep murmuring baſs, the other, the high " and ſweet-ſounding treble [72]."

Muſical inſtru-ments.

The chief, if not the only inſtrument that was uſed in ſacred muſic, was the organ. We have already heard of a great and learned prelate, and his clergy, who ſpent ſome part of their time in making theſe inſtruments, which indicates that they were eſteemed neceſſary at leaſt in cathedral churches. The figures of two organs, of this

[71] J. Sariſburien. Policrat. l. 1. c. 6. p. 28, 29.
[72] G. Cambrenſ. Deſcript. Camb. c. 13. p. 890.

period,

period, differing conſiderably in their ſtructure from one another, and from thoſe now in uſe, may be ſeen in the work quoted [illegible]. In civil muſic, if we may believe Giraldus Cambrenſis, the Scots, Iriſh, and Welſh, uſed but few inſtruments: "The Iriſh (ſays that author) "uſe only two muſical inſtruments, the harp "and the timbrel; the Scots uſe three, the "harp, the timbrel, and the bag-pipe; the "Welſh alſo uſe three, the harp, the pib-corn, "and the bag-pipe. The Iriſh harps have braſs "ſtrings. It is the opinion of many, that the "Scotch muſic at preſent not only equals, but "even very much excels the Iriſh; for which "reaſon they go to Scotland as to the fountain-"head of perfection in that art [74]." The Engliſh ſeem to have been acquainted with a greater variety of muſical inſtruments, ſome of which, it is probable, were introduced by the Normans. The violin is mentioned in books written in this period, and repreſented in illuminations [75]. Some of their violins had five ſtrings. Mr. Strutt hath collected from illuminations, the figures of no fewer than ſixteen different kinds of muſical inſtruments, if ſome of the figures do not repreſent different ſizes of the ſame inſtru-

[73] Mr. Strutt's View of the Manners, &c. vol. 1. plate 33. fig. 12. vol. 2. plate 6 fig. 27.

[74] Girald. Cambren Topograph. Hibern. l. 3. c. 11. p. 739.

[75] Du Cange Gloſſ. Voc. *Vitula*. Vita eſt Thomæ Cant. p. 24. Mr. Strutt's View of the Manners, vol. 1. plate 33. fig. 7. vol. 2. plate 1. fig. 9.

ment.

ment [76]. The harp, however, ſeems to have been the favourite and moſt admired inſtrument of the Engliſh, as well as of the other Britiſh nations, in this period. That was the inſtrument to the ſound of which the minſtrels, the admired muſicians of this period, ſung their ſongs and poems [77].

76 Mr. Strutt's View of the Manners, vol. 2. plate 6.

77 See Dr. Percy's excellent Eſſay on the ancient Engliſh Minſtrels.

THE HISTORY OF GREAT BRITAIN.

BOOK III.

CHAP. VI.

The Hiſtory of Commerce, Coin, and Shipping, in Great Britain, from the landing of William duke of Normandy, A. D. 1066, *to the death of king John,* A. D. 1216.

Hiſtory of Commerce imperfect.

NO apology is neceſſary for introducing the hiſtory of Commerce into the hiſtory of Britain, which hath derived ſo many advantages from that ſource. But it is much to be regretted, that genuine authentic materials, for executing this part of my plan in this period, to the entire ſatisfaction of the reader, are very difficult, if not impoſſible to be collected. All our

our ancient hiſtorians being monks, they paid little attention to the affairs of trade, and dropped only a few incidental hints on this important ſubject. Let us attend to the information which theſe hints convey.

Commerce not inconſiderable at the conqueſt.

It hath been already obſerved,—that the foreign trade of Britain was almoſt annihilated by the departure of the Romans,—that it continued in a very languid ſtate in the times of the heptarchy,—that it gradually revived after the eſtabliſhment of the Engliſh monarchy,—and that towards the end of the laſt period it was not inconſiderable [1]. This laſt circumſtance is confirmed by the teſtimony of a contemporary hiſtorian, William of Poictou, who was chaplain to the duke of Normandy, and attended him in his expedition into England. "The Engliſh "merchants add to the opulence of their coun- "try, rich in its own fertility, ſtill greater "riches, and more valuable treaſures, by im- "portation. Theſe imported treaſures, which "were conſiderable both for their quantity and "quality, were either to have been hoarded up "to gratify their avarice, or to have been diſſi- "pated to ſatisfy their luxurious inclinations. "But William ſeized them, and beſtowed part "of them on his victorious army, and part "of them on churches and monaſteries. To the "pope and church of Rome he ſent an in- "credible maſs of money in gold and ſilver,

[1] See vol. 4. chap. 6.

"and

" and many ornaments that would have been " admired even at Conſtantinople [2]."

It hath been diſputed, whether the Norman conqueſt was an event favourable or unfavourable to the foreign commerce of Britain. The truth ſeems to be, that in ſome reſpects it was, and in others it was not favourable. Every violent revolution muſt give a temporary check to commerce, by fixing the attention of all the members of ſociety on other objects, and by rendering property precarious. The feudal form of government that was eſtabliſhed in England ſoon after the conqueſt, had more of a martial than of a mercantile ſpirit in it; and was better calculated for defending a kingdom by arms, than for enriching it by commerce. The Conqueror himſelf having obtained his crown, and the great Norman barons their princely fortunes, by the ſword, arms became the moſt honourable and lucrative profeſſion; trade was held in little eſtimation, and thoſe who were engaged in it, were expoſed to many injuries. Many of the chief towns in England, the greateſt ſeats of trade, ſuffered much between the conqueſt, and the time when Doomſday-book was compoſed [3]. In all theſe reſpects the conqueſt was unfriendly to commerce, and obſtructed its progreſs for ſome time.

The conqueſt in ſome reſpects unfavourable to commerce.

But, on the other hand, the conqueſt contributed to increaſe the trade of England, in ſeveral

In other reſpects favourable.

[2] W. Fictaven. Geſt. Gul. Ducis Norman. p. 206.

[3] See Brady on Burghs.

veral ways, after the diſorder inſeparable from ſuch revolutions was at an end. It opened a free communication with Normandy, and afterwards with ſeveral other rich provinces of France, which came under the dominion of our Anglo-Norman kings; and this ſoon produced a briſk and conſtant trade between England and theſe provinces. It made alſo a very great addition both to the ſhips and ſailors of England, which are the chief inſtruments of foreign trade. For William was ſo far from burning the fleet in which he brought his army into England, as ſome modern writers have affirmed, that his firſt care was to erect fortifications for its protection [4]. The frequent expeditions of the Conqueror and his ſucceſſors to the continent, obliged them to give conſtant attention to trade and maritime affairs. The ſettlement of the Jews in England about the time of the conqueſt, brought great ſums of money into the kingdom, and contributed to increaſe both its internal and foreign commerce, in which they were conſtantly employed [5].

Internal trade.

It is quite unneceſſary to ſpend any time in delineating the internal trade of Britain in this period, as there was little or nothing remarkable in the manner in which it was conducted. Fairs and markets, which are the principal ſcenes of internal commerce, continued to be held in many places on Sundays [6], in ſpite of all the ca-

[4] W. Pictaven. p. 199.

[5] Anglia Judaica.

[6] See vol. 4. p. 204.

nions that had been made againſt it. This was one of the abuſes which the famous preacher Euſtace, abbot of Flay in Normandy, came over into England to correct, A. D. 1200; and he was ſo ſucceſsful, that he prevailed upon the people of London, and of ſeveral other towns, not to hold their markets on Sundays[7]. But we are informed by one of our beſt hiſtorians, that ſome of theſe towns ſoon after returned to their former practices[8].

Plan of this chapter.

To prevent any degree of obſcurity or confuſion in our delineation of the foreign trade of Britain in this period, it may be proper to conſider the following particulars in the order in which they are here mentioned. 1. The chief ſeats of trade;—2. The moſt valuable articles of its exports and imports;—3. The perſons by whom it was conducted;—4. Laws and regulations reſpecting trade;—5. Shipping;—6. Coin;—7. The comparative value of money, prices of commodities, and expence of living;—8. The balance of trade.

Chief ſeats of trade. London.

London was unqueſtionably the chief ſeat of trade in this, as it had been in the former period. Situated on the noble river Thames, at no great diſtance from the ſea, amidſt the moſt fertile plains of this iſland, it enjoyed every advantage for importing the commodities of other countries, and exporting thoſe of Britain in return. Theſe advantages were not neglected by

7 R. Hoveden, p. 457. col. 2.

8 M. Paris, ad ann. 1200.

its citizens, who were much addicted to trade, and acquired ſo much wealth and influence by it, that they were called *barons*, and reſpected in the public aſſemblies of the kingdom, as poſſeſſing a kind of nobility [9]. "London (ſays "William of Malmſbury) is but about twenty-"five miles diſtant from Rocheſter. It is a "noble city, renowned for the riches of its ci-"tizens, and crowded with merchants, who "come from all countries, and particularly "from Germany, with their merchandiſe [10]." "In this city (ſays William Fitz-Stephen, in "his deſcription of London), merchants from "all nations under heaven reſide, for the ſake "of trade [11]." The great multitude of Jews who reſided in London, and poſſeſſed ſeveral entire ſtreets, afford a further proof of the flouriſhing ſtate of trade in that city, in this period [12]. For trade was almoſt the only occupation of that people; and they never ſettled in great numbers in any place, but where they either found or brought commerce.

Briſtol. As Briſtol had been a place of conſiderable trade in the Anglo-Saxon times [13], it continued to be ſo in the preſent period. This we learn from William of Malmſbury, in his deſcription of the vale of Glouceſter. "In the ſame vale, "is a very famous town named Briſtow, in which

9 W. Malmſ. Hiſt. Novel. l. 2. p. 106. col. 1.
10 W. Malmſ. de Pontific. Angl. l. 2. p. 133. p. 2.
11 W. Stephaned. in Vita T. Cant. Lond. edit. 1723. p. 6.
12 Stow's Survey, b. 3. p. 54.
13 See vol. 4. p. 238.

"there

" there is a ſea-port, a ſafe receptacle for ſhips " from Ireland, Norway, and other foreign coun- " tries; that this happy region, which abounds " ſo much in its native riches, might not be de- " ſtitute of the commodities procured by com- " merce [14]." The trade between England and Ireland, which was for the moſt part carried on by the merchants of Briſtol, was ſo great and ſo eſſential to the ſupport of the Iriſh, that when it was interrupted, they were reduced to great diſtreſs. " Murcard, monarch of Ireland, be- " haved a little haughtily towards Henry I. " I know not for what reaſon; but he was ſoon " humbled by a prohibition of all trade between " England and his dominions. For how wretched " would Ireland be if no goods were imported " into it from England [15]."

The Flemings, who were ſettled in the fine country of Roſs in Pembrokeſhire by Henry I. were bold adventurous ſailors, and much addicted to commerce. " They are, (ſays Giraldus " Cambrenſis) a people much uſed to the woollen " manufacture, and to foreign trade; and in " order to increaſe their ſtore, they ſpare no " pains either by ſea or land [16]." The vicinity of the ſpacious harbour of Milford-haven was probably a great advantage to this induſtrious colony. Roſs.

[14] W. Malmſ. de Pontific. Angl. l. 4. p. 161.
[15] Id. l. 5. p. 91.
[16] Girald. Cambren. Itin. Camb. p 848.

Exeter.

The city of Exeter appears to have been a place of conſiderable trade at the conqueſt, and continued to enjoy that advantage through the whole of this period. When it was beſieged by the Conqueror, A. D. 1068, the inhabitants compelled a great number of foreign merchants and mariners, who were then in their harbour, to aſſiſt them in their defence [17]. William of Malmſbury acquaints us, that, in his time, though the ſoil about Exeter was ſo barren that it hardly produced a meagre crop of oats, yet its extenſive trade made it abound in every thing that contributed to the comfort of human life [18].

Cinque ports.

The five towns on the coaſts of Kent and Suſſex, commonly called the *cinque ports*, were certainly among the moſt conſiderable ſeats of foreign commerce in England, in this period. Their merchants, like thoſe of London, enjoyed the honourable appellation of barons, which their repreſentatives in parliament ſtill enjoy [19]. Government depended very much upon them for a fleet on any emergency; and they were obliged to furniſh no fewer than fifty-ſeven ſhips for the public ſervice, at forty days notice, to continue fifteen days in that ſervice, with their crews, at their own charges [20]. This is a ſufficient proof that they abounded in ſhipping and ſailors, which they could not have done without

[17] Orderic Vital. p. 510.
[18] W. Malmſ. Pontific. Angl. l. 3. p. 145. col. 2.
[19] Spelman. Gloſſ. p. 71.
[20] Liber Rub. Scaccarii.

a flouriſh-

a flouriſhing trade. The five towns which originally formed the cinque-ports, were Haſtings in Suſſex, Dover, Hythe, Romney, and Sandwich in Kent; to which were added Winchelſea and Rye as principals, and ſome other towns as members, though they ſtill retained the name of the cinque-ports from their original number [21]. We may form ſome idea of the comparative trade of theſe towns, by obſerving the number of ſhips which each was obliged to furniſh. Haſtings (with its members) was obliged to furniſh twenty-one ſhips;—Romney (with its members) five;—Hythe and Sandwich (with their members) each five;—and Dover (with its members) twenty-one [22]. For this important ſervice to the ſtate, the people of the cinque-ports had various honours and privileges conferred upon them. Their merchants were not only ſtyled barons, but four of theſe barons had a title to ſupport the canopy over the king on the day of his coronation, and to dine at a table on his right hand. The inhabitants of theſe towns were exempted from the ſeveral feudal ſervitudes and preſtations, and could be ſued only in their own court [23]. Theſe honours and privileges afford a proof, that the government of England, in this period, was not inattentive to the encouragement of trade and ſhipping.

[21] Camden Britan. vol. 1. p. 254.
[22] Hakluyt's Voyages, vol. 1. p. 19.
[23] Camb. Britan. vol. 1. p. 254.

Norwich, Yarmouth, Lynn.

When biſhop Herebert, in the reign of William Rufus, removed the ſeat of his ſee from Thetford to Norwich, that town, as we are told by William of Malmſbury, was famous for the number of its inhabitants and the greatneſs of its commerce[24]. In the ſame county, the town of Yarmouth abounded in ſhips, and was a formidable rival in power and commerce to the cinque-ports, though both its commerce and its ſhipping increaſed very much in the ſucceeding period[25]. The town of Lynn ſeems to have poſſeſſed a ſtill greater ſhare of foreign trade than Yarmouth, if we may rely on the teſtimony of William of Newborough, who reſided at no great diſtance. That author tells us, that in the reign of Richard I. the town of Lynn was famous for its riches and commerce, and was inhabited by many wealthy Jews; who, being enraged againſt one of their nation who had embraced Chriſtianity, attempted to kill him, and aſſaulted a church in which he had taken ſhelter. This raiſed a tumult. A great multitude of foreign ſailors who were in the harbour, attacked the Jews, and beat them from the church with ſome ſlaughter. Not contented with this, they plundered and then burnt ſeveral of their houſes, and having carried the plunder, which was of great value, on board their ſhips, they imme-

[24] W. Walmſ. Pontific. Angl. p. 136.

[25] Camb. Britan. vol. 1. p. 379.

diately

diately ſet ſail, in order to ſecure their booty, and eſcape puniſhment [26].

Several places in Lincolnſhire had a conſiderable ſhare of trade, in this period, which ſome of them have ſince loſt, by the choking of their harbours, and other accidents. Lincoln,[9] the capital of the county, was a rich and populous city; and, though at a diſtance from the ſea, was not deſtitute of foreign trade, which was carried on by the navigable canal between the rivers Trent and Witham, made A. D. 1121, by order of Henry I. [27]. The towns of Grimſby, Saltfleet, Waynfleet, and Boſton, though they had much declined from what they had been in this period, ſent ſome ſhips to the fleet of Edward III. A. D. 1359 [28]. Boſton, in particular, was a very rich and flouriſhing place before it was plundered and burnt in the reign of Edward I. [29] The great numbers and riches of the Jews who reſided at Lincoln, Stamford, and other towns in this county, plainly indicate that there was then a flouriſhing trade in thoſe towns [30]. Lincoln, &c.

York, the northern capital of England, and reſidence of Roman emperors, made a diſtinguiſhed figure in the Anglo-Saxon times, but was much reduced ſoon after the conqueſt [31]. It York.

[26] Gul. Neubrigen. l. 4. c. 7. p. 367.
[27] Simeon Dunelm. col. 243.
[28] Hakluyt's Voyages, vol. 1. p. 120.
[29] Camden Britan. vol. 1. p. 423.
[30] Gul. Neubrigen. l. 4. c. 8, 9.
[31] Simeon Dunelm. col. 39. J. Brompt. col. 965. Drake's Hiſtory of York.

revived

revived however in a little time; and William of Malmſbury tells us, that in the reign of king Stephen, when he wrote, it was become a place of great trade; and that ſhips from Ireland and Germany ſailed up the river Ouſe into the very heart of the city [32]. Great numbers of Jews ſettled in York about this time, and acquired immenſe wealth by uſury and commerce, which, together with their magnificent houſes and ſplendid way of living, excited the envy and indignation of the people to ſuch a degree that they determined to deſtroy them. As ſoon as the news of the ſlaughter of that people at the coronation of Richard I. reached York, the mob aroſe, aſſaulted the Jews, plundered and burnt their houſes, killed many, and drove others in deſpair to kill themſelves, after they had diſpatched their wives and children with their own hands [33]. This outrageous tumult, in which ſome hundreds of Jews were killed, and their houſes, furniture, and riches, reduced to aſhes, ſeems to have been fatal to the trade of York, which declined ſo faſt, that it was able to ſend only one ſmall ſhip, with nine mariners, to the fleet of Edward III. [34].

Many other ſea-ports.

Many other towns ſituated on the ſea-coaſts and navigable rivers of Britain, had their ſhare of foreign trade in this period. But a more particular enumeration of them is unneceſſary, and

[32] W. Malmſ. Pontific. Angl l. 3. Prolog. p. 147.
[33] G. Neubrigen. l. 4. c. 9, 10.
[34] Hakluyt's Voyages, vol. 1. p. 120.

would

would be tedious. One of our ancient hiſtorians, referring to the times we are now delineating, hath the following exclamation: "O "England! thou waſt lately equal to the an- "cient Chaldeans in power, proſperity, and "glory. The ſhips of Tarſhiſh could not be "compared with thy ſhips, which brought thee "ſpices, and every precious thing, from the "four corners of the world. The ſea was to "thee an impregnable wall, and thy ports on "all ſides as the well-fortified gates of a ſtrong "caſtle [35]."

Chief articles of foreign trade.

It is curious, and may be uſeful, to know what were the moſt valuable articles of the foreign trade of Britain in every period. By this we ſhall at leaſt diſcover wherein the ſuperfluities and neceſſities of our country conſiſted from time to time, and in what manner the former were diſpoſed of, and the latter were ſupplied.

Slaves exported.

Slaves ſtill continued to be a capital article, both in the internal and foreign trade of Britain. When an eſtate was conveyed from one proprietor to another, all the villains or ſlaves annexed to that eſtate, were conveyed at the ſame time, and by the ſame deed [36]. When any perſon had more children than he could maintain, or more domeſtic ſlaves than he choſe to keep, he ſold them to a merchant, who diſpoſed of them either at home or abroad, as he found

35 Matth. Weſtminſt p 240, 241.

36 Liber Niger Scaccarii, art. de *Danegeldo*. Regiam Majeſtat. l. 2. c. 12. § 3. Rymer. Fœd. tom. 1. p. 90.

would

would be moſt profitable. "It was a common "vice (ſays Giraldus Cambrenſis) of the Eng-"liſh, when they were reduced to poverty, that "rather than endure it patiently, they expoſed "their own children to ſale [37]." Many of theſe unhappy perſons were carried into Ireland, and no doubt into other countries, and there ſold [38]. A ſtrong law was made againſt this barbarous kind of commerce, in a great council held at St. Peter's, Weſtminſter, A. D. 1102. "Let "no man, for the future, preſume to carry on "the wicked trade of ſelling men in markets, "like brute beaſts, which hitherto hath been the "common cuſtom of England [39]." But this law did not put an end to this trade in ſlaves. For in the great council held at Armah, A. D. 1171, the whole clergy of Ireland, after having deliberated long concerning the cauſe of the calamities with which they were threatened by the invaſion of the Engliſh, at length agreed, that this great judgment had been inflicted upon them by the diſpleaſure of God, for the ſins of the people, particularly for their having bought ſo great a number of Engliſh ſlaves from merchants, robbers, and pirates, and for detaining them ſtill in bondage. To appeaſe therefore the divine diſpleaſure, which had been excited againſt them on that account, they decreed,—"That all "the Engliſh ſlaves in the whole iſland of Ire-

[37] Girald. Cambrenſ. Hiberniæ Expugnat. l. 1. c. 18. p. 770.
[38] Id. ibid. [39] Eadmer. Hiſt. Novor. l. 3. p. 68.

"land ſhould be immediately emancipated, and re-
"ſtored to their former liberty [40]."

Engliſh horſes had been long admired and coveted on the continent; and ſuch multitudes of them had been exported, that a law was made by king Athelſtan,—"That no man ſhall export "any horſes beyond ſeas, except ſuch as he de-"ſigns to give in preſents [41]." But this law, it is probable, did not continue long in force, eſpecially after the conqueſt, when the intercourſe between this iſland and the continent was under no reſtrictions, and our great barons had eſtates in both countries. The very high price of horſes, eſpecially of thoſe which were uſed by the nobility in war and tournaments, is a preſumption that they were exported. A great baron, named *Amphitil Till*, agreed to pay to king John, A. D. 1207, as a part of his ranſom, ten horſes, each worth thirty marks, equivalent to three hundred pounds of our money at preſent [42]. Whether any other animals were exported in this period or not, we are not informed. Horſes.

Wool was for ſeveral ceſturies the moſt valuable article of the Britiſh exports. Gervaſe de Aldermanbury, in his accounts of the chamberlainſhip of London, A. D. 1199, charges himſelf with twenty-three pounds twelve ſhillings, which he had received from ſeveral merchants, for leave Wool and leather.

[40] Wilkin. Concil. tom. 1. p. 471.
[41] Wilkin. Saxon. Legis, p. 52.
[42] Rymeri Fœd. tom. 1. p. 146. col. 2.

to

to export wool and leather out of England [43]. He alſo accounts for two hundred and twenty-five marks, which had ariſen from the ſale of forty-five ſacks of wool ſeized from the merchants, for attempting to export them without leave [44]. Many other proofs, if it were neceſſary, might be produced, of the exportation of wool, woolfels, and leather, in this period.

Woollen yarn and cloth.

It is highly probable, if not abſolutely certain, that woollen yarn, and even woollen cloth, were exported from England in this period. In the tenth year of Richard I. the chamberlain of London accounted for eleven marks, which had ariſen from the ſale of a parcel of woollen yarn ſeized from John de Birchamſtede, becauſe he had attempted to export it to Flanders, contrary to the liberties of the city of London [45]. From this it appears, that woollen yarn was exported, and that the privilege of exporting it had been granted to the merchants of London. That the manufacture of woollen cloth was in a much more flouriſhing ſtate in England in this than in the ſucceeding period, there is the cleareſt evidence; which induced a well informed writer to ſay,— "That in the time of Henry II. and Richard I. "this kingdom greatly flouriſhed in the art of "manufacturing woollen cloth; but by the "troubleſome wars in the time of king John "and Henry III. and alſo of Edward I. and

[43] Madox Hiſt. Exchcq. [44] Id. ibid. [45] Id. ibid.

"Edward

" Edward II. this manufacture was wholly loſt " and all our trade ran out in wool, woolfels, " and leather, carried out in ſpecie[46]." The Flemings ſettled in England ſeem to have exported ſome of the woollen cloths which they manufactured. For we are told by a contemporary writer, that they applied with equal ardour to the woollen manufacture and to foreign trade[47].

Corn. Although agriculture was far from being in a flouriſhing ſtate in Britain, in this period; yet, in favourable ſeaſons, the natural fertility of the ſoil, even with imperfect cultivation, made it produce more corn than was neceſſary for home conſumption, and at thoſe times conſiderable quantities of it were exported. " Then (ſays " one of our ancient hiſtorians) England might " be called the ſtore-houſe of Ceres, out of " which the world was ſupplied with corn[48]." Many examples are to be found in the records of this period, of fines paid to the king, for licences to export corn; which is a ſufficient proof that it was at ſome times an article of exportation[49].

Metals. Metals, particularly lead and tin, conſtituted one of the moſt valuable articles of exportation in the times we are now delineating. Almoſt all the cathedral and abbey churches, together with

[46] Sir Matth. Hale's primitive Original of Mankind, p. 167.
[47] Girald. Cambren. Itin. Camb. p. 848.
[48] Gul. Pictaven. p. 210.
[49] Madox. Hiſt. Exchеq. p. 323. 530, &c.

many

many palaces and caſtles in France, and other countries on the continent, are ſaid to have been covered with lead brought from England [50]. We may form ſome idea of the great quantities of tin that were exported, from an article in the accounts of Henry de Caſteilun, chamberlain of London, A. D. 1198, in which he charges himſelf with three hundred and ſeventy-nine pounds eighteen ſhillings, which he had received in fines from the merchants of London, for leave to export tin [51]. The royal revenues ariſing from the tin-mines of Cornwall and Devonſhire, were valued at two thouſand marks a-year, equivalent to ten thouſand pounds of our money; and were granted, at that rate, to queen Berengaria, widow of Richard I. [52].

Other articles of exportation.

Beſides theſe capital articles of Exportation, there were many others of ſmaller value, as ſalt, ſalmon, cheeſe, honey, wax, tallow, &c. &c. as appears from the licences granted for exporting them, which are ſtill extant in our records [53]. But it is not neceſſary to make this enumeration more perfect.

Imports.

In return for the goods which they exported, the Britiſh merchants of this period imported not only gold and ſilver, in coin and bullion, but ſeveral other commodities, for which they found

50 Hiſtoire Literaire de la France, tom. 9. p. 221.
51 Madox Hiſt. Exchеq. p. 531.
52 Rymer Fœd. tom. 1. p 243.
53 Madox Hiſt. Exchеq. p. 530, &c.

a de-

a demand at home. It is proper to mention ſome of the moſt valuable of theſe commodities.

As the Engliſh were not very famous for their ſobriety in this period, we may be certain that wine was a ſaleable commodity, and made one of the moſt valuable articles of importation. "The French (ſays William Fitz-Stephen) im- "port their wines into London, which they ex- "poſe to ſale both in their ſhips and in their "wine-cellars near the river[54]." The duties payable on wines imported, called *priſa vinorum* (the price of wines), conſtituted no inconſider- able branch of the royal revenue; and particular officers were appointed for collecting theſe du- ties[55]. The importation of wines increaſed very much after the marriage of Henry II. with Eleanor, heireſs of ſome of the fineſt provinces in the ſouth of France, where the beſt wines were produced[56]. The wine-trade was become a matter of ſo much importance in the begin- ning of king John's reign, that a law was made for regulating the prices of all the different kinds of wine, and twelve men appointed in each city, town, and borough, to ſuperintend the execution of that law. "By this means (ſays a contem- "porary hiſtorian) the land was filled with drink "and drunkards[57]." Wines.

54 W. Stephaned. Deſcript. Civitat. London, p. 5, 6.
55 Madox Hiſt. Exchеq. p. 525, 526.
56 Anderſon's Hiſt Com. vol. 1. p. 83.
57 Hoveden. Annal. p. 453.

Spiceries, drugs, &c.

Spiceries, drugs, and aromatics, of various kinds, the productions of the Eaſt, were imported in conſiderable quantities in this period; becauſe they were much uſed by perſons of rank and fortune in their meats and drinks, as well as by phyſicians in the compoſition of their medicines [58]. "The Sabeans (ſays Fitz-Stephen) import into London their frankincenſe and other "ſpices; and from the rich country, about "Babylon, they bring the oil of palms [59]." The ſpice-trade formed ſo capital a branch of the commerce of this period, that merchants in general are often called *ſpeciarii* in the barbarous Latin of thoſe times [60].

Gold and precious ſtones.

Gold and precious ſtones were imported from Egypt, Arabia, and other eaſtern countries [61]. For though no gold was uſed at this time in coinage, much of it was uſed in manufactures of various kinds, by goldſmiths, jewellers, gilders, embroiderers, illuminators, and painters. The monks, in particular, were bitterly reproached by ſeveral writers, for expending ſo much gold in gilding and illuminating books [62]. Many precepts of our ancient kings are ſtill extant, directing certain perſons to buy gold from the merchants for their uſe [63]. The ſheriffs of Lon-

[58] Du Cange Gloſſ. voc. *Species Aromata.*

[59] W. Stephaned. p. 6.

[60] Murator. Antiq. tom. 2. Diſſertat. 30. tom. 2. p. 881.

[61] W. Stephaned. p. 6.

[62] Martin. Ann. tom. 5. p. 1584. 1623.

[63] Anglia Judaica, p. 152.

don,

don, in the ſecond year of Henry II. paid fifty-ſix ſhillings for gold to gild the king's bridles [64].

Silks, and other fine fabrics of the Eaſt, were alſo imported; but not in very great quantities, becauſe they were uſed only by the church, the royal family, and perhaps by a few of the moſt wealthy barons [65]. Many cathedral and abbey churches were adorned with altar-cloths, veils, and curtains of ſilk, and had alſo veſtments of it, in which their clergy officiated on ſome occaſions [66]. It appears from the records of this period, that ſilks were purchaſed from time to time for the uſe of the royal family [67]. At the conqueſt, and for ſome time after, ſilks were very dear and ſcarce; but manufactories of them having been eſtabliſhed in Sicily, Spain, Majorca, and Ivica, in the courſe of the twelfth century, they became much cheaper and more common [68]. Silks.

Tapeſtry, together with linen and woollen cloths of the finer kinds, were among the Britiſh imports of this period. For though great quantities of woollen cloths were manufactured in England, and ſome of them were exported; yet they ſeem to have been generally of the coarſeſt kinds, and moſt common colours; while thoſe of a finer texture, and more delicate co- Tapeſtry, linen, &c.

64 Madox Hiſt. Exchеq. p. 230.
65 W. Stephaned. p. 6. Anderſon's Hiſt. Com. vol. 1. p. 79.
66 Anglia Sacra paſſim. 67 Madox Hiſt. Exchеq. c. 10. § 12.
68 Hoveden. Annal. p. 382. col. 2.
69 Hoveden Annal p 382.

lours, for the uſe of perſons of high rank, were imported from Flanders; which was then ſo famous for the woollen manufacture, that it was called *Flandria Textrix*[69]. Tapeſtries for hangings were manufactured in the city of Arras, even in this period, and from thence imported into England[70]. Though linen, as well as woollen cloths, were manufactured in Britain; yet it ſeems probable that the fineſt linens were imported, as the firſt notice we meet with of fine linen made in England is in the thirty-ſeventh of Henry III.[71]

Furs. Furs of various kinds, and in great quantities, were imported from Norway, Ruſſia, and other northern countries[72]. For furs were very much uſed, both by the clergy and laity; and all perſons who could afford to purchaſe them had their winter-garments lined with them[73]. Some of theſe furs, particularly ſables, bore a very high price, and could only be obtained by princes or prelates of the greateſt wealth. Robert Bloit, biſhop of Lincoln, made a preſent to Henry I. of a cloak of the fineſt cloth lined with ſables, which coſt no leſs than one hundred pounds, equivalent to fifteen hundred pounds of our money[74].

Dye-ſtuffs, woad. Dye-ſtuffs, particularly woad, may be reckoned among the imports of Britain in this pe-

69 Gal. Vineſauf. p. 433. Gervas Chron. col. 1348.
70 Madox Hiſt. Exchеq. p. 254.
71 Id. p. 259. note g.
72 W. Stephaned.
73 Anglia Sacra, tom. 2. p. 499.
74 Id. ibid. p. 417.

riod, which is an additional proof that the woollen manufacture was not neglected. Henry de Caſteilun, who was chamberlain of the port of London, charged himſelf, in his accounts for A. D. 1197, with the ſum of ninety-ſix pounds ſix ſhillings and eight-pence, which he had received from certain merchants, for licences to import woad, and ſell it in England[75]. The quantity of woad imported by theſe merchants muſt have been very great, when they could afford to pay a ſum equivalent to more than fourteen hundred pounds of our money at preſent, for their licences.

Beſides gold and ſilver, other metals, particularly iron and ſteel, were imported into Britain from Germany, and other countries, in this period[76]. The German merchants of the Steel-yard in London, are thought by ſome to have derived that name from the great quantities of iron and ſteel which they imported, and ſold at a place called the *Steel-yard*[77]. Metals.

Though corn was exported from Britain in years of plenty, we have good reaſon to believe that it was imported in ſtill greater quantities in times of ſcarcity, which were but too frequent in our preſent period. The merchants of London ſeem to have been the chief importers of corn; for we are told by a contemporary writer, that they kept many granaries full of it in that Corn.

75 Madox Hiſt. Exchеq. p. 351, 532. 76 W. Stephaned, p. 6.
77 Anderſon's Hiſt. Com. vol. 1. p. 123.

city; and that from theſe granaries all parts of the kingdom were ſupplied [78]. Several other articles of importation, as arms, books, pictures, &c. might be mentioned; but it ſeems to be unneceſſary, and would be tedious, to make this enumeration more particular.

Mer-chants. The internal trade of England was managed chiefly by Anglo-Saxons and Anglo-Normans, who were natives of the country, and members of the merchant guilds eſtabliſhed in the ſeveral towns and cities of the kingdom: but they do not ſeem to have had a great ſhare in its foreign commerce, which was for the moſt part in the hands of foreigners. Fitz-Stephen, who flouriſhed in the reign of Henry II. acquaints us, in his deſcription of London, that "in this city all nations under heaven "had factors reſiding for the management of their "commerce [79]."

Jews. Great numbers of Jews came from Normandy, and other countries of the continent, ſoon after the conqueſt, and ſettling in all the trading towns of England, got poſſeſſion of a very great proportion of the commerce of the kingdom [80]. Having larger capitals, greater knowledge of trade, and a more extenſive correſpondence with thoſe of their own nation in other parts of Europe, than the native Engliſh merchants, they were able to underſell them in every market [81]. By theſe means they acquired great riches; but

[78] W. Malmſ. de Pontific. Angl. l. 2. p. 133. col. 2.
[79] W. Stephaned, p. 6.
[80] Anglia Judaica, p. 4.
[81] Id. p. 80.

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at the ſame time drew upon themſelves the indignation of the public, and the moſt oppreſſive exactions of the government. For they and their families were conſidered as the ſlaves, and all their poſſeſſions as the property, of the ſovereign, which he might ſeize at pleaſure, which he might even ſell or mortgage like any other eſtate [82]. We may form ſome idea of the great trade and riches of the Jews of this period, as well as of the oppreſſions of the government, by obſerving, that a particular exchequer, called *the Exchequer of the Jews*, was eſtabliſhed for receiving the prodigious ſums extorted from them in cuſtoms, fines, forfeitures, tallages, and various other ways [83]. To give one example, out of many, of the cruelty of the government towards the Jews, and of the great ſums extorted from them, we are told, "That the king, A. D. 1210, "commanded all the Jews in England, of both "ſexes, to be impriſoned, in order to compel "them to pay him great ſums of money. Some "of them, after they had been grievouſly tor-"tured, ſurrendered all the money they had, "and even promiſed more, to preſerve them-"ſelves from further tortures. Amongſt others, "the king demanded ten thouſand marks (equi-"valent to one hundred thouſand pounds at "preſent) from a certain Jew of Briſtol, and "commanded one of his teeth to be pulled out

[82] Anglia Judaica, p. 132. Wilkin. Concil. t. 1. p. 313.
[83] Madox Hiſt. Exchеq. chap. 7. p. 150. &c.

"every day till he paid that ſum. The Jew held "out ſeven days, but ſubmitted on the eighth, and "parted with his money to preſerve the remainder "of his teeth[84]."

Chriſtians not permitted to take intereſt for money.

All Chriſtians, in this period, were prohibited, both by the laws of the church and ſtate, from lending money at intereſt, which was called *uſury*; and thoſe who were convicted of it were puniſhed by excommunication, and the forfeiture of all their goods[85]. By theſe imprudent laws, the buſineſs of lending money was thrown into the hands of the Jews, from whence they derived the moſt exorbitant profits, and in which they practiſed the moſt cruel exactions. For as the rate of intereſt was not regulated by any law, they ſet no bounds to their avarice, and took every advantage of the neceſſities of thoſe who applied to them for a loan of money. On ſome occaſions, if we are not miſinformed, they took no leſs than fifty *per cent. per annum.* This, though almoſt incredible, is highly probable, from an order of Henry III. reſtraining them from taking more than two pence in the week for every twenty ſhillings they lent to the ſcholars of Oxford, which is a little more than forty-three *per cent.*[86]. From the following letter of the famous Peter of Blois, archdeacon of Bath, to his friend the biſhop of Ely, we may

[84] M. Paris, ann. 1210. p. 160.

[85] Wilkin. Concil. tom. 1. p. 313. M. Paris, p. 250. Hoveden. Annal. p 335.

[86] Anglia Judaica, p. 122.

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form ſome idea of the extreme ſeverity of the Jews to their unhappy debtors: "I am dragged to Can-"terbury to be crucified by the perfidious Jews, "amongſt their other debtors, whom they ruin "and torment with uſury. The ſame ſufferings "await me alſo at London, if you do not merci-"fully interpoſe for my deliverance. I beſeech "you therefore, O moſt reverend father, and "moſt loving friend, to become bound to Samp-"ſon the Jew, for ſix pounds, which I owe "him, and thereby deliver me from that croſs [87]." After this we need not be ſurpriſed, either at the prodigious opulence of the Jews, or at the univerſal execration in which they were held.

Germans.

The German merchants of the Steel-yard, who had been ſettled in London before the conqueſt, continued in the ſame place, and enjoyed the ſame privileges, after that event [88]. For Fitz-Stephen, who flouriſhed about the middle of the twelfth century, ſays, in his deſcription of London, that the merchants of all nations had their diſtant keys and wharfs in that city; and, particularly, that the Germans had the Steel-yard [89]. But as the ſociety of the merchants of the Steel-yard made a more conſpicuous figure in the next period, we ſhall inſert a more particular account of it in our next book.

[87] Epiſtolæ P. Bleſenſ. Ep. 156. p. 242.
[88] See vol. 4. p. 281.
[89] W. Stephaned. Deſcript. Lond p. 5.

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Italians. The trade of Venice, Piſa, Genoa, Amalphi, and ſome other cities of Italy, was, in this period, in a very flouriſhing ſtate [90]. The truth is, that almoſt all the commerce between Aſia, Africa, and Europe, was in the hands of the merchants of theſe cities, who exported the ſuperfluities of Europe, and brought home the ſpices, gold, ſilks, and other precious commodities of the Eaſt, which they ſent into every country where they could find a market, and particularly into Britain. For the management of this trade, companies of Italian merchants were ſettled in London, and perhaps in ſome other towns.

Caurſini. Amongſt theſe companies the Caurſini were the moſt famous about the end of this and the beginning of the next period. It is imagined, that they were called Caurſini, becauſe many of them belonged to a numerous and opulent family of that name in Italy [91]. However this may be, the Caurſini in England, by departing from the proper buſineſs of merchants, and becoming agents for the pope in his uſurious tranſactions, rendered themſelves as odious as the Jews [92]. But a more full account of this ſociety, as well as that of the Lombards, ſhall be given in the ſixth chapter of our next book.

Barons merchants. Some of the great barons of England, among the officers of their houſehold, had one who was

[90] Murator. Antiq. tom. 2. p. 883, &c.
[91] Du Cange Gloſſ. voc. *Caurſini*.
[92] M. Paris, p. 266. M. Weſtminſt. ann. 1233. p. 134.

called

called *the Merchant*, who tranſacted all the mercantile buſineſs of the baron to whom he belonged; diſpoſing of his corn, cattle, and every thing he had to ſell; and purchaſing cloths, wines, ſpices, and every thing elſe he wanted to buy. It appears from records, that theſe baronial merchants even engaged in foreign trade, and imported wines and other goods, for which they were liable to pay cuſtoms [93].

Mercantile regulations.

Commerce had been an object of the attention of government, and a ſubject of legiſlation, in the Anglo-Saxon times, and continued to be ſo in the preſent period [94]. It was one of the firſt cares of the Conqueror to encourage trade. With this view he publiſhed a proclamation, inviting foreign merchants to frequent the ports of England, and promiſing them the moſt perfect ſecurity for their goods and perſons [95]. This prince adopted ſeveral Anglo-Saxon regulations, with reſpect to trade, into his own laws, and inforced them by his authority. By one of theſe laws, it is decreed,—That no live cattle ſhall "be bought or ſold, but in cities, and before "three creditable witneſſes;" by another,— "That all fairs and markets ſhall be kept in "fortified cities, towns, or caſtles [96]." Theſe laws were inconvenient; but they were neceſſary in thoſe turbulent times. The conqueror alſo

[93] Madox Hiſt. Exchcq. p. 519. note (*e*).
[94] See book 2. chap. 6.
[95] W. Pictaven. p. 208.
[96] Seldeni Spicilegium in Eadmer. p. 191.

prohi-

prohibited the ſelling of Chriſtian ſlaves to infidels: but this prohibition, it is probable, was not much regarded [97]." We know of no laws reſpecting trade made by William II.; but his ſucceſſor Henry I. was more attentive to that important object. By the ancient law and cuſtom of England, when a ſhip was wrecked on the coaſt, if thoſe who eſcaped from it did not return to it within a limited time, the ſhip and cargo became the property of the lord of the manor. This moſt unjuſt and cruel law was abrogated by Henry I. who decreed, that if one man eſcaped alive out of the wreck, the lord of the manor ſhould have no claim either to the ſhip or cargo [98].

But this juſt and merciful regulation was very diſagreeable to many of the rapacious barons, and was quite diſregarded after the death of the prince by whom it was made, till it was revived by his grandſon Henry II. "That prince (as "we are told by one of our ancient hiſtorians), "in the very beginning of his reign, aboliſhed "the cruel cuſtoms toward ſhipwrecked ſailors, "which had too long prevailed; and com-"manded that thoſe who eſcaped from the "dangers of the ſea, ſhould be treated with "kindneſs; and that ſuch as did them any in-"jury, or ſeized any of their goods, ſhould be "ſeverely puniſhed [99]." A law which doth

[97] Seldeni Spicilegium in Eadmer. p. 191.
[98] Seldeni Opera, tom. 4. p. 1009.
[99] W. Neubrigen. l. 2. c. 26. p. 341.

much

much honour both to the wiſdom and humanity of its author. However this may be, it is certain, that Henry II. A. D. 1174, promulgated the three following regulations on this ſubject: 1. That if but one man eſcaped from a ſhip alive, that ſhip and cargo could not be conſidered as wreck, but ſhould be kept for the uſe of the owners. 2. Though no man eſcaped alive, yet if any animal eſcaped, or was found in a ſhip alive, the ſhip and cargo ſhould be committed to the cuſtody of four perſons of credit, to be kept three months, to be delivered to the owners if they appeared within that time, or to the king at the end of it, if the owners did not appear. 3. But if neither man nor beaſt eſcaped alive, the ſhip and cargo ſhould belong to the king, or to the perſon having right to wreck at that place[100]. This prince cultivated the friendſhip of the emperor Frederick Barbaroſſa, to whom he ſent a ſplendid embaſſy, with magnificent preſents, A. D. 1157, with a view to promote a free trade between their ſubjects[101]. To prevent the diminution of the ſhips and ſailors of his kingdom, which he knew to be ſo neceſſary both for its defence and trade, Henry II. A. D. 1181, commanded his juſtices itinerant, "to give a "ſtrict charge in every county, that no man, as "he valued his life and fortune, ſhould buy or "ſell any ſhip to be carried out of England, or

[100] Rym. Fœd. tom. 1. p. 36.
[101] Radevic. Friſingenſ. l. 1. c. 7. p. 263.

"ſhould

" ſhould ſend, or cauſe to be ſent, any mariner out " of England [102]."

By Richard I.

The importance of trade to the proſperity of the kingdom becoming more conſpicuous, Richard I. paid great attention to it, and made many mercantile regulations. The laws and regulations, publiſhed by this prince at Chinon in France, A. D. 1189, for the government of his great fleet in his expedition into the Holy Land, are very curious, but too long to be here inſerted; and being rather of a martial than a mercantile nature, do not ſo properly belong to our preſent ſubject. By the laſt of theſe laws, it is decreed, " That whoever is convicted of theft, ſhall " have his head ſhaved, melted pitch poured " upon it, and the feathers from a pillow ſhaken " over it, that he may be known; and ſhall be " put on ſhore on the firſt land at which the ſhip " touches [103]." The famous maritime laws called *The Laws of Oleron*, as it is aſſerted by many modern authors, were promulgated by this prince on that iſland, at his return from the Holy Land; but on what foundation this aſſertion is built, I have not been able to diſcover [104]. Theſe laws, which are forty-ſeven in number, are evidently very ancient, and no leſs prudent, humane, and juſt; though ſeveral of them, from a change of manners and circumſtances,

[102] Benedict. Abbas, tom. 1. p. 368.

[103] Rym. Fœd. tom. 1. p. 65. Brompt. Chron. col. 1173.

[104] Godolphin's View of the Admiral Juriſdiction, p. 14. Anderſon's Hiſt. Com. vol. 1. p. 96.

are

are now obſolete [105]. We have better evidence that Richard I. made various mercantile regulations, ſoon after his return into England from his unfortunate expedition into the Eaſt. By the firſt of theſe regulations he commanded the ſea-ports to be carefully guarded that no corn or proviſions of any kind might be exported either in Engliſh or foreign bottoms. But this was only a temporary prohibition, to prevent a famine, with which England was then threatened. Having ſet forth the great inconveniencies ariſing from the diverſity of weights and meaſures in different parts of the kingdom, he, by a law, commanded all meaſures of corn, and other dry goods, as alſo of liquors, to be exactly the ſame in all his dominions; and that the rim of each of theſe meaſures ſhould be a circle of iron. By another law, he commanded all cloth to be woven two yards in breadth within the liſts, and of equal goodneſs in all parts; and that all cloth which did not anſwer this deſcription, ſhould be ſeized and burnt. He enacted further, That all the coin of the kingdom ſhould be exactly of the ſame weight and fineneſs,—that no Chriſtian ſhould take any intereſt for money lent;—and to prevent the extortions of the Jews, he commanded that all compacts between Chriſtians and Jews ſhould be made in the preſence of witneſſes, and the conditions of them put in writing, of which three copies ſhould be made,

[105] Godolphin Append. p. 163.

one

one to be lodged in a public repoſitory, and one to be given to each party [106]. Many of theſe regulations were wiſe and uſeful, but ſome of them were tinctured with the prejudices of the times.

Regulations of king John.

If there was any thing commendable in the character of king John, it was his attention to maritime and mercantile affairs. Of this he gave a proof, ſoon after his acceſſion to the throne, by publiſhing the famous edict of Haſtings, A. D. 1200, in which he aſſerted his dominion over the Britiſh ſeas in the ſtrongeſt terms, and commanded his captains to ſeize all ſhips which did not ſtrike their topſails to them, to confiſcate their cargoes, and impriſon their crews, even though they were the ſubjects of a power in friendſhip with England [107]. In a word, the attention of this prince to maritime affairs was ſuch, that he was ſerved with zeal and fidelity by his ſailors, when he was abandoned by almoſt all his other ſubjects [108]. It is a ſufficient evidence of this, that, at a time when his affairs were in the moſt deſperate ſtate on ſhore, his fleet deſtroyed the whole naval power of France, and ſent home no fewer than three hundred ſail of French ſhips which had been taken [109]. King John contributed alſo to the improvement of commerce, by eſtabliſhing guilds

[106] Hoveden. Annal. p. 440. col. 2. Brompt. Chron. col. 1258.

[107] Seldeni Mare clauſum, l. 2. c. 26. p. 205.

[108] M. Paris, p. 184. Campbell's Lives of the Admirals, vol. 1. c. 4. p. 146.

[109] M. Trivet. Annal. ad ann. 1214.

or

or ſocieties of merchants, with various privileges and immunities, in all parts of the kingdom, where there was any conſiderable trade [110]. By the forty-firſt article of Magna Charta, foreign merchants are ſecured againſt all violence, and every illegal exaction, in times of peace; and it is declared, that when a war breaks out, they ſhall be treated in England in the ſame manner in which the Engliſh merchants are treated in the enemy's country [111].

Shipping.

As ſhips are the chief inſtruments of foreign trade, the ſtate of the ſhipping of this iſland is an object worthy of ſome attention in every period of its hiſtory.

We conjectured, rather than affirmed, that the ſhipping of England amounted to two or three thouſand veſſels, from twenty to one hundred tons, at the concluſion of the former period [112]. Whatever may be in this conjecture, there is ſufficient evidence, that, in the courſe of the period we are now delineating, the ſhips belonging to Britain became more numerous, of a larger ſize, and better conſtruction, than they had been before the conqueſt.

More numerous than in the former period.

The very fleet which brought over the duke of Normandy and his army into England, made a great addition to the Engliſh ſhipping. Some of our ancient hiſtorians affirm, that this fleet conſiſted of no fewer than three thouſand ſhips [113].

110 Brady on Burghs, paſſim.
111 Magna Charta, ch. 41.
112 See vol. 4. p. 234.
113 Ypodigma Neuſtriæ, p. 436.

Though this may be an exaggeration, we may be certain that the tranſportation of ſixty thouſand men, with their horſes, arms, and other neceſſaries, required a very numerous fleet of ſuch ſmall ſhips as were then in uſe. Some of theſe ſhips were carried back to the continent; but the greateſt part of them, together with their crews, remained in England, and made a great addition to its naval power. The frequent voyages of our Anglo-Norman kings, between this iſland and their dominions on the continent, attended by large armies, chiefly compoſed of cavalry, rendered numerous fleets abſolutely neceſſary. Theſe, it is true, bore a greater reſemblance to fleets of tranſports, than to the royal navies of the preſent times. For they conſiſted chiefly of merchant-ſhips, collected together when it was neceſſary, and diſmiſſed as ſoon as the ſervice was performed [114]. But the very poſſibility of collecting together a fleet of ſeveral hundred ſhips, in a few weeks, affords a demonſtration that England abounded in ſhipping in this period.

Deſcription of their ſhips.

The Anglo-Saxon ſhips were very ſmall, and far from being perfect in their conſtruction [115]. But the Engliſh ſhips of this period appear to have been both larger and better built. Thoſe of the largeſt ſize, and ſtrongeſt conſtruction, were called *dromones* [116]. The famous Saracen

[114] M. Paris, ad an. 1213, p. 162.
[115] Mr. Strutt's View, &c. vol. 1. plate 9. fig. 1.
[116] Gauf. Vineſauf. l. 2. c. 26. p. 316.

ſhip

ſhip which was taken by Richard I. near the port of Acon, was of this kind; and muſt have been of an enormous magnitude, as it contained no fewer than fifteen hundred men [117]. Thoſe dromones had three maſts, and are ſaid to have ſailed very ſlowly, being too lofty to make uſe of oars. Ships of the ſecond rate, called *buſſæ*, or *buccæ*, were alſo large veſſels, and had three maſts [118]. Galleys were of various kinds, and different degrees of magnitude; but they all made uſe of oars as well as ſails [119]. The ſhips moſt commonly uſed in trade, both at ſea and on large rivers, were called *barcæ*, or *barks*; and thoſe of them which were of the ſmalleſt ſize were called *barbottæ* [120]. All theſe veſſels had decks, for ſecuring the goods with which they were loaded, from the injuries of the ſea. Beſides theſe, they had boats of different kinds and dimenſions, for plying on rivers, for fiſhing, and for other purpoſes [121].

That the Engliſh ſhips of this period had the reputation of being excellent in their ſeveral kinds, is at leaſt highly probable, from the law of Henry II. which prohibited the ſelling of them to foreigners [122]. We are told by a contemporary author, who was preſent at Meſſina, in Sicily, with Richard I. in his way to the Holy Land,—that the people of that city were

Engliſh ſhips much valued.

[117] M. Paris, p. 115. col. 1. [118] Du Cange Gloſſ. voc. *Buſſa*.
[119] Id. ibid. voc. *Galea*. [120] Id. ibid. in voc. *Baſæa*, *Barbotta*
[121] See Mr. Strutt's View, &c. vol. 1. plate 32.
[122] Benedict. Abbas, p. 368.

filled with admiration at the number, beauty, and magnitude, of the ſhips of which that monarch's fleet was compoſed; and declared, that ſo fine a fleet had never been ſeen, and probably never would be ſeen in the harbour of Meſſina [123]. This was indeed a very gallant fleet. It conſiſted of thirteen ſhips of the largeſt kind, called *dromones*, one hundred and fifty of the ſecond rate, called *buſſæ*, fifty-three galleys, beſides a great number of tenders [124]. Such a fleet would make no contemptible appearance even in modern times.

Engliſh ſailors excelled thoſe of other countries.

As the Britiſh ſhips were better built, ſo they were alſo better navigated, in this than in the preceding period. The Engliſh ſailors were much admired, both at home and abroad, for their dexterity and courage; which produced the law of Henry II. prohibiting them from entering into foreign ſervice [125]. Geofrey of Vineſauf, who accompanied Richard I. in his expedition into the Holy Land, aſcribes the preſervation of that prince from ſhipwreck in a ſtorm, to the uncommon ſkill and courage of his ſailors, "who "did every thing that it was poſſible for human "art to do, to reſiſt the fury of the winds [126]." This character, which the Engliſh ſailors ſo early acquired, they have long retained, and I hope will never forfeit.

[123] Gaſſ. Vineſauf. l. 2. c. 26. p. 316.
[124] J. Brompt. col. 1197. R de Diceto, col. 657.
[125] Benedict Abbas. p. 368.
[126] G. Vineſauf. l. 2. c. 27. p. 317.

It

It is a little uncertain, whether or not the Engliſh ſailors, towards the end of this period, had the advantage of the mariners compaſs to guide them in their voyages. For neither the perſon who invented that moſt uſeful inſtrument, nor the time when it was invented, are very well known. It is however certain, that it had been diſcovered about the end of the twelfth, or the beginning of the thirteenth century, that a needle touched with a loadſtone, pointed towards the north; and that endeavours were then uſed to apply this diſcovery to navigation, though the moſt convenient way of doing it was not then invented. For Hugh de Bercy, a French poet, who flouriſhed in the former part of the thirteenth century, mentions this property of a needle touched with a loadſtone very plainly, and deſcribes an inſtrument called *la mariniere*, uſed by the ſailors of his time, in which the needle was placed upon a board that floated in a veſſel of water [127]. Mariners compaſs.

If ſhips and ſailors are neceſſary to foreign trade, eſpecially in an iſland, money is no leſs neceſſary both to foreign and internal commerce. It hath long been the common meaſure of all commodities, and the chief inſtrument of their circulation, and muſt therefore never be neglected in the hiſtory of trade. Money.

[127] Paſquier Recherches de la France, l. 4. c. 25. p. 405.

Living money.

Living money, which made ſo great a figure in the former, is ſeldom or never mentioned by the writers of the preſent period [128]. For when coin became common, the conveniency of it, as a repreſentative of all commodities, appeared ſo great, that all others were ſoon laid aſide.

Changes made by the conqueſt.

The full account that hath been given of the ſeveral denominations of money, and of the real coins that were uſed in Britain in the preceding period, makes it unneceſſary to ſay much on theſe ſubjects in the preſent; becauſe the changes made in them by the conqueſt were but few and inconſiderable. Theſe changes were the following [129]. Some denominations of money, as mancuſſes, oras, and thrimſas, that were common in the Anglo-Saxon times, fell into diſuſe, and are ſeldom mentioned by the writers after the conqueſt. If the mancus of gold was a real coin among the Anglo-Saxons, which is not very certain, it ceaſed to be coined after the conqueſt; for there is not the leaſt veſtige of ſuch a coin among the Anglo-Normans: nor do we hear any thing of the copper-coin called a *ſtica* after the conqueſt.

Pound.

The Tower pound, which had been the money pound of the Anglo-Saxons, continued to be the money pound of England for ſeveral centuries after the conqueſt [130]. This pound was three fourths of an ounce lighter than the Troy pound,

[128] See vol. 4. p. 243.
[129] Id. p. 245—279.
[130] Folkes on Coins, p. 2.

to

to which it was in the proportion of fifteen to ſixteen. It was divided into twelve ounces, each ounce weighing 450 Troy grains, which made 5400 ſuch grains in the pound [131]. Whenever therefore a pound of money is mentioned by the writers of this period, it ſignifies as many ſilver coins as weighed 5400 Troy grains; or, in other words, a Tower pound weight of ſilver coins. The pound was both the largeſt and moſt common denomination of money.

Mark. The mark is another denomination of money, which is frequently mentioned in the hiſtories and records of this period. It weighed exactly two thirds of a Tower pound; and was the ſame with the Anglo-Daniſh mark, which hath been fully deſcribed already [132].

Shilling. The ſhilling was not a real coin, but only a denomination of money, in this period, whatever it might have been in the former. The Anglo-Norman ſhilling was alſo very different in its weight and value from the Anglo Saxon. The largeſt of the latter weighed only 112½ Troy grains, whereas the former repreſented as many ſilver coins as weighed 270 of the ſame grains, or the twentieth part of a Tower pound.

Penny. The penny was by far the moſt common real coin in the preſent period. Every Tower pound of ſilver was coined into two hundred and forty of theſe pennies, each weighing 22½ Troy grains. Twelve of theſe pennies, weighing 270 grains,

[131] See vol. 4. p. 251. [132] Id. p. 258.

were paid for one ſhilling [133]. In a word, the Anglo-Norman penny was the ſame in weight with the Anglo-Saxon. Many of the former, as well as ſome of the latter, are ſtill preſerved, and have been publiſhed [134].

Halfpennies and farthings.

Though the ſilver penny of this period was but a ſmall coin; yet it was of conſiderable value, and would have purchaſed as much proviſions, or other goods, as four or five of our ſhillings will do at preſent. To have had no ſmaller coins than pennies, would have been very inconvenient to the poor in the purchaſe of proviſions and other neceſſaries. We may be certain, therefore, that ſilver half-pennies and farthings were coined in this, as well as in the former period; though few or none of theſe ſmall coins of ſome of our Norman kings have been preſerved. It ſeems probable, however, that the ſmaller coins were ſometimes very ſcarce, and that the people had been accuſtomed to cut or break ſilver pennies into halves and quarters, which paſſed for half-pennies and farthings. For Henry I. A. D. 1108, prohibited this practice; and commanded, that all half-pennies and farthings, as well as pennies, ſhould be entire and round [135]. It appears alſo, that this law did not put an end to the practice of cutting pennies into halves and quarters, but that it continued through the whole of this period; becauſe we meet with a law againſt it in the reign of Edward I. A. D. 1279 [136].

[133] Folkes on Coins, p. 5.
[134] Id. vol. 2.
[135] Simeon Dunelm. col. 231.
[136] M. Weſtminſt. p. 367.

In

In the courſe of this period, the ſilver penny is ſometimes called an *eſterling* or *ſterling*; and good money in general is ſometimes called *eſterling* or *ſterling* money [137]. It is unneceſſary to mention the various conjectures of antiquaries about the origin and meaning of this appellation. The moſt probable opinion ſeems to be this, that ſome artiſts from Germany, who were called *Eſterlings*, from the ſituation of their country, had been employed in fabricating our money, which conſiſted chiefly of ſilver pennies; and that from them the penny was called an *eſterling*, and our money *eſterling* or *ſterling* money [138]. Sterling money.

As the ſilver coins of England, in this and the former period, were of the ſame kinds, and of the ſame weights, they were alſo of the ſame ſtandard or degree of fineneſs. Both our Anglo-Saxon and Anglo-Norman princes paid great attention to the purity of their coin, and puniſhed thoſe who attempted to debaſe it, with great ſeverity [139]. Henry II. A. D. 1180, called in all the coin, becauſe ſome of it had been debaſed; and iſſued new money, which was to be the only current coin of the kingdom [140]. Standard.

Coining money was not confined to one place in England, as it is at preſent, but was practiſed in every town of any conſiderable trade. The Money mints in England.

[137] Spelman. Gloſſ. voc. *Eſterlingus.* [138] Id. ibid.

[139] See vol. 4. p. 277. Hen. Knyghton, col. 2377. Gervas Chron. col. 1457.

[140] Benedict. Abbas, ad ann. 1180.

workmen,

workmen, however, who were employed in coining, did not enjoy the ſame liberty with other artiſts, of following their own fancies, and making ſuch coins as they pleaſed; but they received all their dyes from the exchequer, and they wrought under the inſpection of officers, who were called *examinatores monetæ*, and *cuſtodes cuneorum*, "Eſſayers and keepers of the dyes," whoſe buſineſs it was, to take care that their coins were of the ſtandard weight and fineneſs. All theſe workmen, together with the eſſayers and keepers of the dyes, in all the different mints, were under the immediate direction of the barons of the exchequer; who, from time to time, commanded them to appear before them with their implements of coining. Thus, in the 9th of King John, writs were iſſued by the barons of the exchequer, commanding all the moneyours, eſſayers, and keepers of the dyes, in London, Wincheſter, Exeter, Chicheſter, Canterbury, Rochester, Ipſwich, Norwich, Lynn, Lincoln, York, Carliſle, Northampton, Oxford, St. Edmunds, and Durham, to appear before them at Weſtminſter, in the quinzieme of St. Denys, and to bring with them all their dyes ſealed up with their ſeals [141].

Coins of Scotland the ſame with thoſe of England.

Though it is highly probable that money was coined in Scotland before the beginning of this period; yet as none of that ancient money hath been diſcovered, nothing certain can be ſaid on

[141] Maddox Hiſt. Exchcq. chap. 5. p. 198.

that

that ſubject[142]. Nor have any coins of Malcolm Canmore, or of his three ſucceſſors, Donald, Duncan, and Edgar, kings of Scotland, yet appeared; the moſt ancient Scotch coins that are known being thoſe of Alexander I. who began his reign A. D. 1107[143]. From that æra the ſeries is almoſt complete[144]. It is unneceſſary to ſpend one moment in deſcribing the money of Scotland, in this period, as it was exactly the ſame in weight, fineneſs, and fabrication, with that of England, already deſcribed.

No gold coined in this period.

If any gold was coined in Britain in the times we are now conſidering, it hath diſappeared. For no gold coins of any of the kings who reigned in England, in this period, have been yet diſcovered, nor are any ſuch coins mentioned by the contemporary hiſtorians. But foreign gold coins, of the ſame kinds which had circulated among the Anglo-Saxons, ſtill continued to circulate through the whole of this period. Theſe were commonly called *Byzants*, or *Byzantines*, and have been deſcribed in the ſixth chapter of the ſecond book of this work[145].

Proportion of gold to ſilver.

The proportion of gold to ſilver appears to have been as one to nine. The abbot of Thorney being obliged to pay to king Stephen yearly, for the privilege of a market at Jakeſley, one mark of gold, paid nine marks of ſilver, and was diſ-

[142] See vol. 4. p. 282.
[143] Anderſon Diplomata Scotiæ, Præfat. p. 57.
[144] Id. plate 157, &c.
[145] See vol. 4. p. 274.

charged.

charged [146]. The ſame proportion was obſerved in the ſucceeding reign. For Peter Turk paid ſix pounds of ſilver into the exchequer, for one mark of gold, which he owed to Henry II. [147]. The cheapneſs of gold, in this period, ſeems to be an indication of its abundance in proportion to ſilver.

Different ways of paying money.

The moſt natural and eaſy way of paying any ſum of money, is to pay as many real coins of gold or ſilver as are nominally and legally contained in that ſum. This is called paying by tale; and is almoſt the only method now in uſe. But as the real value of coins, in ſome periods, may fall conſiderably ſhort of their nominal value, either by a deficiency in their weight, or fineneſs, or in both, it becomes neceſſary, at thoſe times, to contrive ſome methods to guard againſt this deception. Several methods were uſed for this purpoſe, in the times we are now conſidering, by thoſe who received the royal revenues at the exchequer, and probably by all who had extenſive dealings in money.

Increment.

When the coins offered to the receivers at the exchequer appeared to them ſufficiently pure, but a little lighter than the ſtandard, they contented themſelves with demanding and receiving ſix ſilver pennies in every pound, more than was nominally contained in it, to make up the ſuppoſed deficiency in the weight. For example, they demanded and received two hundred and

[146] Madox Hiſt. Exchеq. [147] Id. ibid

forty

forty-ſix ſilver pennies for one pound, inſtead of two hundred and forty pennies, which made a nominal pound. The ſix ſilver pennies extraordinary were called *the increment*; and this way of paying was called paying *ad ſcalam*, and was an eaſy and amicable method of adjuſting the difference between the legal and real weight of coins [148].

By weight. When the coins preſented in payment at the exchequer appeared to be ſo much diminiſhed that the ordinary increment would not make up the deficiency, they were put into the ſcales, and taken by weight, without any regard to number. This was called payment *ad penſum*, and was certainly the moſt juſt [149].

By combuſtion. But as coins might be defective in fineneſs as well as in weight, the receivers at the exchequer ſometimes melted a few of them by way of trial, and calculated the value of the whole, according to the iſſue of that trial. This was called payment by *combuſtion*; and when a quantity of coins had undergone this trial, they were ſaid to be *blanched*. To prevent the trouble of melting, a certain allowance, as one ſhilling in the pound, was ſometimes offered, and accepted, to make up the deficiency in fineneſs [150]. There were proper officers in the exchequer for performing theſe operations, ſuch as a peſour for weighing, and a fuſor for melting the coins that were to be

[148] Madox Hiſt. Exchеq. ch. 9. p. 187. [149] Id. ibid.
[150] Id. ibid.

tried; and theſe officers were furniſhed with proper inſtruments and conveniencies for their reſpective works [151].

Manner of payments ſettled.

It will readily occur to every reader, that theſe different modes of payment made a very eſſential difference both to the debtor and creditor, eſpecially in large ſums; becauſe it required a greater number of the ſame kind of coins to pay the ſame debt in one way than another. For this reaſon, in making bargains, and ſettling the rents of farms, &c. it was uſual to ſtipulate in which of theſe ways the money was to be paid, by tale, by ſcale, by weight, or by combuſtion [152].

Comparative value of money.

If the ſame nominal ſum of money had always contained the ſame quantity of the precious metals, of the ſame fineneſs, we might eaſily and certainly have diſcovered the comparative value of money, and expence of living, at any two periods, only by comparing the nominal prices of labour and commodities at theſe different times. But this hath not been the caſe. The ſame nominal ſum of money, as a pound, a mark, a ſhilling, &c. hath at ſome periods contained a greater, and at others a ſmaller quantity of ſilver, to ſay nothing of its different degrees of fineneſs. In order therefore to diſcover the comparative value of money, and expence of living, at any two periods, two things muſt be taken into the account: 1ſt, The quantity of

[151] Madox Hiſt. Exchеq. ch. 9. p. 197.

[152] Id. ibid.

ſilver

ſilver contained in the ſame nominal ſum at each of theſe periods; and, 2dly, the efficacy of power of the ſame quantity of ſilver in purchaſing labour and commodities of all kinds at each period.

The ſame nominal ſum contained thrice the quantity of ſilver.

Any nominal ſum of money, or number of pounds, marks, or ſhillings, in the period we are now delineating, contained nearly thrice as much ſilver, as the ſame nominal ſum, or number of pounds, marks, or ſhillings, contain at preſent. Whenever therefore we meet with any ſum of money, or number of pounds, marks, or ſhillings, in the hiſtories or records of this period, ſaid to be the price of any commodity, we muſt multiply it by three to diſcover how many of our pounds, marks, or ſhillings, it contained. Thus, for example, we are told by ſeveral of our ancient hiſtorians, that there was ſo great a ſcarcity of corn in England, A. D. 1126, that a quarter of wheat ſold for ſix ſhillings, that is, for eighteen ſhillings of our money [153].

Same quantity of ſilver more valuable.

The ſame nominal ſum of money not only contained a much greater quantity of ſilver than it doth at preſent, but the ſame quantity of ſilver was alſo much more valuable than it is at preſent. It is difficult, if not impoſſible, to diſcover the difference in this reſpect with certainty and exactneſs. This difficulty is occaſioned by two things: 1. becauſe we are not ſufficiently informed of the common prices of the moſt ne-

[153] Hen. Hunt. p. 219. R. Hoveden. Annal. p. 274.

ceſſary

ceſſary and uſeful commodities, particularly of corn, in this diſtant period; 2. becauſe the prices of ſome commodities, as of books, ſilks, and ſpices, bore a much higher proportion than the prices of ſome others, as of corn, cattle, and wine, to the prices of the ſame commodities in the preſent times. Accordingly we find, that the moſt ingenious and beſt-informed writers have entertained very different ſentiments on this ſubject; ſome eſtimating the value or efficacy of any given weight of ſilver coins in the eleventh and twelfth centuries, to the value or efficacy of the ſame weight of our ſilver coins at preſent, to have been in the proportion of ten to one, and ſome eſtimating it to have been only in the proportion of five to one[154]. That is to ſay, ſome of theſe writers think, that a quantity of ſilver coins, of an equal weight with one of our crown-pieces, would have purchaſed ten times as much labour, meat, drink, and cloathing, in the eleventh and twelfth centuries, as one of our crown-pieces can purchaſe at preſent, while others of them think that it would have purchaſed only five times as much.

The ſame quantity of ſilver five times the value it is at preſent.

If we could diſcover the average price of corn in the times we are now examining, we might determine this queſtion with tolerable certainty; becauſe the price of corn hath a conſiderable influence on the price of labour, and the expence

[154] Mr. Hume's Hiſtory of England, vol. 1. p. 170. edit. 1762. Lord Lyttelton's Hiſtory of Henry II. vol. 1. page 406. octavo edit. 1769.

of

of living. The hiſtorians of this period repreſent it as a great dearth, or rather as a famine, when wheat was ſold for ſix of their ſhillings (containing as much ſilver as eighteen of our ſhillings) the quarter. "This year, A. D. "1126 (ſays Henry of Huntingdon), was the "the greateſt dearth in our times, when a quarter "of wheat was ſold for ſix ſhillings [155]." If we ſuppoſe the ſame quantity of ſilver to have been ten times as valuable then as it is now, this makes the dearth A. D. 1126, to have been as great as it would be at preſent, if wheat was ſold for nine pounds the quarter, or £1:2:6 the buſhel: a dearth that would be quite ruinous and inſupportable. But if we ſuppoſe the value or efficacy of the ſame quantity of ſilver to have been only five times as great then as it is now, this makes the dearth A. D. 1126 to have been as great as it would be at preſent if a quarter of wheat was ſold for £4 10s. or a buſhel for 11s. 3d. a dearth ſufficiently diſtreſsful, and of which we have few examples. We can hardly imagine that our hiſtorians would have mentioned this dearth in ſuch ſtrong terms, if the price of corn had not then been the double of its common or average price. On the other hand, our hiſtorians ſpeak of it as a proof of uncommon plenty and cheapneſs, when wheat was ſold for two of their ſhillings (containing as much ſilver as ſix of our ſhillings) the quarter.

[155] Hen. Hunt. p. 219.

"This year, A. D. 1244 (ſays Matthew Paris), "was ſo fruitful, that a quarter of wheat was "ſold for two ſhillings [156]." Upon the whole, it ſeems to be no improbable conjecture, that the moſt common price of wheat in the eleventh and twelfth centuries, was about three of their ſhillings, or nine of our ſhillings the quarter. If we ſuppoſe the ſame quantity of ſilver to have been then ten times the value it is now, we muſt alſo ſuppoſe, that the moſt common or average price of wheat in our times is £ 4. 10ſ. the quarter: a ſuppoſition which we know to be very remote from truth. But if we eſtimate any given quantity of ſilver, as nine of our ſhillings, the average price of a quarter of wheat in the eleventh and twelfth centuries, to have been only five times the value of the ſame quantity of ſilver at preſent; this correſponds with the ſuppoſition, that the average price of a quarter of wheat, in modern times, is £ 2 5ſ. or 5ſ. 7½d. the buſhel. This is evidently not far from the truth. The juſtneſs of this ſuppoſition, that any given quantity or weight of ſilver coins, in the period we are now delineating, was equal in value and efficacy to five times the ſame weight or quantity of our ſilver coins at preſent, might, if it was neceſſary, be confirmed by many other arguments [157].

[156] M. Paris, ad. an. 1244.

[157] See Lord Littleton's Hiſt. of Henry II. vol. 1. p. 404—410. octavo.

According

According to this ſuppoſition, a perſon who had a nominal income of £ 10 a-year, in this period, received as much ſilver as one who hath a nominal income at preſent of £ 30 a-year; and could have lived as well, purchaſed as much labour, meat, drink, and clothing, as one who hath an income of £ 150 at preſent. A conſtant attention to theſe two things, the different quantity of ſilver in the ſame nominal ſum of money, and the different value of the ſame quantity of ſilver, is neceſſary to our underſtanding the meaning of our ancient hiſtorians on many occaſions, and particularly to our comprehending the real value of the ſeveral ſums of money that are mentioned by them. Rate of living.

The materials of our commercial hiſtory, in this period, are not ſo perfect as to enable us to form a judgment, or even a gueſs, concerning the balance of trade between Britain and any one particular country. But we have good reaſon to believe, that the balance of trade, upon the whole, was in favour of Britain; or in other words, that the Britiſh exports were more valuable than the Britiſh imports; and that to make up the deficiency in the imports, Britain received a balance in caſh or bullion. Balance of trade in favour of England.

This may be proved in this manner. We had no mines of gold or ſilver in this iſland, in thoſe times, to ſupply the daily diminution of the national ſtock of the precious metals, by manufactures,—by the wear and loſs of plate and coin,— This Proved.

and by the great ſums of money which were carried out of the kingdom from time to time; yet this diminution was actually ſupplied, and the national ſtock was kept up, if not increaſed; which muſt have been by caſh or bullion brought home by the balance of trade.

No mines of gold or ſilver.

That no mines of gold or ſilver were wrought in Britain in this period, the ſilence of all our records, hiſtorians, and other writers, ſeems to be a ſufficient proof. That the national ſtock of the precious metals muſt have been gradually diminiſhed—by the quantities of them that were uſed in illuminating, gilding, and other manufactures,—and by the neceſſary wear and loſs of plate and coins, is too evident to need any proof.

Much money carried out of England.

That very great ſums of money were carried out of Britain in the courſe of this period, we have the cleareſt evidence. What prodigious ſums of money were carried to Rome alone by the clergy, in purchaſing their palls, proſecuting their appeals, and procuring favours of various kinds, to ſay nothing of the annual payment of Peter-pence! Many of our writers in this period complain bitterly of the avarice of the pope and cardinals, and of the great ſums of money which they extorted from the Engliſh clergy, and others [158]. Nay, king John, in a letter which

[158] P. Bleſenſ. Epiſt. 153, p. 141, 144. Epiſtolæ S. Thomæ Cant. l. 1. Ep. 179. p. 306. M. Paris, Vit. Abbat. p. 46. 89. 92.

he

he wrote to the pope A. D. 1208, affirmed, that the court of Rome received more money from England than from all the other kingdoms on this ſide of the Alps [159]. The long reſidences of our kings upon the continent, and their frequent wars with the kings of France and other princes, muſt have occaſioned a great drain of money from England. The unfortunate expedition of Richard I. into the Holy Land, together with his ranſom from his captivity, carried out an incredible maſs of money [160]. To ſay nothing of the great ſums which the prelates, nobles, and others, who embarked in that expedition, carried with them, the king not only expended on it all his father's treaſures, but all the money which he collected from the ſale of every thing belonging to the crown for which he could find a purchaſer [161].

Much money ſtill in England.

But notwithſtanding all theſe drains, and others which might have been mentioned, England ſtill continued to be rich in money. If the Jews, in particular, who were ſettled in Britain, had not been very rich in money; they could not have paid the heavy and frequent demands that were made upon them by government [162]. All our kings were rich in gold and ſilver; and great ſums of ready money, as well as great quanti-

159 M. Paris Hiſt. Ang. p. 156.
160 Chron. J. Brompr. col. 1162. Knyghton, col. 2402
161 W. Neubrigen, l. 4. c. 5.
162 Madox Hiſt. Exchcq. chap. 7.

ties of plate and jewels, were found in their repoſitories when they died [163]. Many ſubjects alſo, particularly among the prelates, poſſeſſed great quantities of the precious metals, both in coin and plate. No leſs than forty thouſand marks, equal in quantity of ſilver to £ 80,000, and in value or efficacy to £ 400,000 of our money, were found in the caſtle of the Devizes, when it was taken from Roger biſhop of Saliſbury, A. D. 1139 [164]. Eleven thouſand pounds of ſilver, and three hundred pounds of gold coins, beſides great quantities of gold and ſilver plate, were found in the treaſury of Roger archbiſhop of York at his death, A. D. 1181 [165]. The ſilver coins alone in this archiepiſcopal treaſury, were equal in value to £ 165,000 of our preſent money; and if we reckon one pound of the gold to have been worth only nine pounds of ſilver, the gold coins were equal in efficacy to £ 40,500 of our money. Many other examples, if it was neceſſary, might be given, from the genuine monuments of this period, of particular perſons, and of ſocieties, who poſſeſſed great quantities of the precious metals, both in coins and plate. In a word, there is ſufficient evidence, that though great ſums of money were annually carried out of England, to Rome, to

163 Hoveden Annal. p. 374. Benedict. Abbas, tom. 2. p. 553. M. Paris, p. 107.

164 J. Erompt. col. 1027. Chron. Gervas, col. 1346.

165 M. Paris Hiſt. Angl. p. 97.

Normandy,

Normandy, and other places, the national ſtock of gold and ſilver was not diminiſhed, but rather increaſed, in the courſe of this period. This cannot be accounted for, but by ſuppoſing, that conſiderable quantities of coin and bullion were imported by the merchants as the balance of their trade with foreign nations. All the gold coins, in particular, which appear to have been numerous, muſt have been imported, as no gold was coined in Britain in this period.

THE HISTORY OF GREAT BRITAIN.

BOOK III.

CHAP. VII.

History of the Manners, Virtues, Vices, remarkable Customs, Language, Dress, Diet, and Diversions, of the people of Great Britain, from the landing of William Duke of Normandy, A. D. 1066, to the death of King John, A. D. 1216.

Some nations tenacious of the customs of their ancestors.

NATIONS which have been long seated in the same country, and have had little intercourse with strangers, commonly retain the same national characters, manners, and customs, through a long succession of ages. They become proud of their antiquity, fond admirers of their ancestors, and warmly attached to all their sentiments and practices; their follies, errors,

and vices, not excepted. The inhabitants of Wales, for example, and of the greateſt part of Scotland, the deſcendants of the ancient Britons and Caledonians, ſeem to have had the ſame national characters, manners, and cuſtoms, the ſame religion, laws, language, dreſs, diet, and diverſions, with very little variation, for more than a thouſand years. As all theſe have been already deſcribed at great length in this work, it will not be neceſſary to ſay much concerning them in this chapter, except to take notice of ſuch ſingularities on any of theſe ſubjects as are mentioned for the firſt time by the writers of this period [1].

Manners of the Anglo-Saxons changed.

The manners, virtues, vices, remarkable cuſtoms, &c. of the Anglo-Saxons and Danes, who conquered and peopled the beſt and greateſt part of Britain in the preceding period, have been alſo delineated [2]. If theſe nations had continued in the peaceable poſſeſſion of their country, they would probably have retained the ſame national character and manners, with ſome ſlight and almoſt inſenſible alterations, in the preſent period. But by their ſubjection to and intermixture with their Norman conquerors, very great changes were made in their manners, cuſtoms, and ways of living, which claim our attention in this part of our work.

Manners of the Normans.

But as the Normans firſt appeared upon the ſtage, and became the governing and predomi-

[1] See vol. 2. chap. 7. Vol. 4. chap. 7. [2] See vol. 4. chap. 7.

nant

nant people of England, in our preſent period, their manners, &c. muſt be the principal ſubject of this chapter.

Name of the Normans.

Thoſe deſtructive bands of piratical adventurers which iſſued from Scandinavia, and infeſted all the ſeas and coaſts of Europe, in the ninth, tenth, and eleventh centuries, were ſometimes called *Saxons*, ſometimes *Danes*, and ſometimes *Normans*. "From the fury of the Normans, "Good Lord deliver us," was then a petition in the litanies of all the nations, which dreaded the depredations of thoſe northern plunderers, who were called *Normans* from the ſituation of the countries from whence they came [3]. "In "thoſe days (ſays the author of the Saxon "chronicle, A. D. 787) came the firſt three "ſhips of Northmen from Herethaland. Theſe "were the firſt ſhips of Daniſhmen that came "into England [4]."

Origin of the Normans.

About the beginning of the tenth century, a very numerous band, or rather army, of theſe northern adventurers, under the conduct of Rollo, a Norwegian chieftain, invaded, and almoſt deſolated the fine province of Neuſtria. This province extending from the river Ept to the confines of Brittany, was at length granted A. D. 911, by Charles the Simple, king of France, to Rollo and his followers, on condition that they became Chriſtians, and that they held the ceded territories of the crown of

[3] See vol. 4. p 314. note.

[4] Chron. Saxon. p. 64.

France.

France[5]. With theſe conditions they complied; and having obtained poſſeſſion of ſo fine a country, they abandoned their former roving and predatory courſe of life, and began to rebuild the cities which they had deſtroyed, and to cultivate the fields which they had deſolated. From that time the country which had formerly been called *Neuſtria*, was called *Normandy*, from its new maſters; who were called *Normans*, becauſe all the different countries from whence they came lay to the north of France.

Settled in France and became Frenchmen.

Duke Rollo, and his Normans, though they had been as great barbarians as any of the other ſwarms of ſavages which had iſſued from Scandinavia, gradually became a civilized and poliſhed people, after their ſettlement in Normandy. This was owing to ſeveral cauſes. The Chriſtian religion, which they then embraced, was of a more humane and peaceful ſpirit than the barbarous ſuperſtition in which they had been educated —The mild climate and fertile ſoil of Normandy inſpired them with the love of home, and of a quiet and ſettled way of life.—Their intercourſe and intermarriages with the French inhabitants, made them adopt the manners, cuſtoms, language, and dreſs of that people. This was ſo much the caſe, that the Normans, when they invaded England, called themſelves, and were called by others, Frenchmen. They are ſo

[5] W. Gemiticenſ. l. 7. c. 17. Dudo Sancti Quint. p. 84. P. Walſingham Ypodigma Neuſtriæ, p. 417.

called

called in the laws of William the Conqueror, and in the charters of that prince and of his ſucceſſors for a century after the conqueſt [6]. In a word, the manners, cuſtoms, virtues, vices, language, dreſs, diet, and diverſions of the predominant people of England, through the greateſt part of this period, were exactly the ſame with thoſe of perſons of the ſame rank on the continent of France. A very brief delineation of theſe muſt now be given.

Contempt and ill treatment of the Engliſh.

There is hardly any thing more remarkable in the manners and cuſtoms of this period, than the ſovereign contempt in which the name of an Engliſhman was held, and the cruel indignities with which the perſons of Engliſhmen were treated. William of Poictou, in deſcribing the battle of Haſtings, at which he was preſent, frequently denominates the Engliſh,—*the barbarians*. "The cries (ſays he) of the Normans on one "ſide, and of the barbarians on the other, were "drowned by the claſhing of arms and the "groans of the dying [7]." After that fatal battle, and a few unfortunate revolts, the native Engliſh ſunk into great contempt and wretchedneſs [8]. Their eſtates were confiſcated, their perſons inſulted, their wives and daughters diſhonoured before their eyes. "The Normans (ſays an an-"cient hiſtorian) were aſtoniſhed at their own

[6] Seldeni Spicilegia ad Eadmerum, p. 193. Charta Henrici II. in libro Rubro Scaccarii.

[7] W. Pictavienſ. a Duchen. edit. p. 202. [8] Ingulph. Hiſt. p. 70.

"power,

" power, became as it were mad with pride, " and imagined that they might do whatever " they pleaſed to the Engliſh. Young ladies " of the higheſt rank and greateſt beauty having " loſt their fathers, brothers, and protectors, " and being violated by armed ruffians, called " upon death to come to their relief[8]." In a word, the name of an Engliſhman became a term of reproach. " The Normans (ſays Brompton) " reduced almoſt all the Engliſh to ſuch a " ſtate of ſervitude, that it was a reproach to " be called an Engliſhman[9]." This inſolence of the Normans, and depreſſion of the Engliſh, continued almoſt to the very concluſion of our preſent period. For we are told by Giraldus Cambrenſis, who flouriſhed in thoſe times, that in the reign of Richard I. when a Norman was accuſed of any thing which he thought diſhonourable, and choſe to deny, he commonly ſaid,—*What! do you imagine I am an Engliſhman?* —or—*May I become an Engliſhman if I did it*[10]. By ſlow degrees, however, the animoſity between the Normans and the Engliſh abated, and they coaleſced into one powerful people, who have long been, and ſtill are, juſtly proud of the honourable name of *Engliſhmen.*

Method of education.

A new mode of education was one of the many changes introduced into England by the Normans. For the Conqueror, having formed

8 Orderic. Vital. p. 523. 9 J. Brompt. p. 962.
10 Anglia Sacra, tom. 2. p. 406.

the

the deſign of extirpating the Engliſh language, and making the French the vulgar tongue of all his ſubjects, commanded, that the children of the Engliſh ſhould be taught the firſt rudiments of grammar at ſchool in French, and not in Engliſh [11]. This mode of education, introduced by the Normans with a deſign to eſtabliſh their own language on the ruins of the Anglo-Saxon, continued more than three centuries after the conqueſt. This we learn from Treviſa, a writer who flouriſhed in the fourteenth century, whoſe teſtimony we ſhall give in his own words: "For "John Cornwaile, a maſter of grammar, changed "the lore in grammar ſcole, and conſtruction of "Frenche into Engliſche; and Richard Pin-"criche lerned the manere techynge of him, "as other men of Pencriche. So that now, the "yere of our Lorde a thouſand three hundred "and foure ſcore and five, and of the ſeconde "kyng Richard, after the conqueſt nyne, and "alle the gramere ſcoles of Engilond, children "leveth Frenſche, and conſtrueth and lerneth "an Engliſche, and haveth thereby advantage "in oon ſide, and diſadvantage in another ſide. "Here advantage is, that they lerneth her "gramer in laſſe tyme, than children were "woned to doo; diſadvantage is, that now "children of gramer ſcole conneth na more "Frenſche than can her lift heele, and that is "harm for him, and they ſchulle paſſe the ſee,

[11] Ingulph. Hiſt. p. 71.

"and

"and travaille in ſtrange landes, and in many "other places. Alſo gentilmen havith now "moche left for to teche here children "Frenche[12]." Thus the long ſtruggle between the French and Engliſh languages, after it had continued more than three centuries, drew towards a concluſion, and victory began to declare in favour of the Engliſh.

Introduction of chivalry.

The very ſingular ſpirit of chivalry which began to diſplay itſelf about the beginning of this period, and was introduced into England by the Normans, gave a new turn to the education of the young nobility and gentry, in order to fit them for obtaining the honour of knighthood, which was then an object of ambition to the greateſt princes[13]. Thoſe noble youths who were deſigned for the profeſſion of arms and the honours of knighthood, were early taken out of the hands of the women, and placed in the family of ſome great prince or baron, who was alſo eſteemed an expert and valorous knight.

Pages or Valets.

At their firſt entrance into this ſchool of chivalry, they acted in the capacity of pages or valets[14]. For thoſe names which are now appropriated to domeſtic ſervants, were then ſometimes given to the ſons and brothers of kings[15]. In this ſtation they were inſtructed in the laws of

[12] Hickeſii Theſaur. tom. 1. Præfat. p. 17, 18.

[13] Simeon Dunelm. p. 277. Ailredi Abbat. Rieval. p. 347.

[14] Memoire ſur L'Ancienne Chevalerie, par M. di Sainte Paylaye, tom. 1. p. 6.

[15] Les Mœurs de François, par Le Gendre, p. 63.

courteſy

courteſy and politeneſs, and in the firſt rudiments of chivalry, and martial exerciſes; to fit them for ſhining in courts, at tournaments, and on the field of battle. Henry II. received this part of his education in the family of his uncle, Robert earl or Glouceſter, who was one of the moſt accompliſhed knights of the age in which he flouriſhed [16].

Eſquires.

After they had ſpent a competent time in the ſtation of pages, they were advanced to the moſt honourable rank of eſquires. Then they were admitted into more familiar intercourſe with the knights and ladies of the court, and perfected in dancing, riding, hawking, hunting, tilting, and other accompliſhments neceſſary to fit them for performing the offices, and becoming the honours, of knighthood, to which they aſpired [17]. In a word, the courts of kings, princes, and great barons, were a kind of colleges of chivalry, as the univerſities were of the arts and ſciences; and the youth in both advanced through ſeveral degrees to the higheſt honours.

Their exerciſes deſcribed.

The exerciſes of the youth in theſe ſchools of chivalry, are thus deſcribed by Fitz-Stephen, who flouriſhed in the reign of Henry II. "Every "Sunday in Lent, immediately after dinner, "crowds of noble and ſprightly youths, mounted "on war horſes, admirably trained to perform

[16] Gervas Chron. p. 1358. W. Malmſ. p. 98.

[17] Memoires ſur Chevalerie, part 1.

" all their turnings and evolutions, ride into the " fields in diſtinct bands, armed with lances and " ſhields, and exhibit repreſentations of battles, " and go through all their martial exerciſes. " Many of the young nobility, who have not " yet received the honour of knighthood, iſſue " from the king's court, and from the houſes " of biſhops, earls, and barons, to make trial " of their courage, ſtrength and ſkill in arms. " The hope of victory rouſes the ſpirits of theſe " noble youths;—their fiery horſes neigh and " prance, and champ their foaming bits. At " length the ſignal is given, and the ſports " begin. The youths, divided into oppoſite " bands, encounter one another. In one place " ſome fly and others purſue, without being " able to overtake them. In another place, " one of the bands overtakes and overturns the " other [18]."

Sworn brothers.

The noble youth in thoſe ſchools of chivalry, ſometimes contracted the moſt ſincere and laſting friendſhips, and became what they then called *ſworn brothers*. Thoſe who were ſworn brothers, cemented their friendſhip with vows of inviolable attachment to each other, in peace and war, in proſperity and adverſity;—that they would ſhare the ſame dangers, and divide equally all their acquiſitions [19]. Of this cuſtom it may not be improper to give one example. Robert de Oily,

[18] W. Stephanid. Deſcript. Lond. a J. Sparke edit. 1723. p. 7, 8.
[19] Du Cange Gloſſ. voc. *Fratres conjurati.*

and Roger de Ivery, two young gentlemen who came into England with the duke of Normandy, were ſworn brothers. Some time after the conqueſt, king William granted the two great honours of Oxford and St. Waleries to Robert de Oily, who immediately beſtowed one of them, that of St. Waleries, on his ſworn brother Roger de Ivery [20]. A cuſtom ſimiliar to this prevailed in Wales. The princes of that country placed one of their ſons in the family of one chieftain, and another in the family of another, where they were educated with the ſons of theſe chieftains, who became the ſworn brothers of the young prince who had been educated with them. This produced frequent civil wars, each of the great families endeavouring with all their power to raiſe their ſworn brother and favourite prince to the government [21].

The ſpirit of romantic gallantry.

It was alſo in theſe ſchools of chivalry, the courts of kings, princes, and great barons, that the youth of this period imbibed that ſpirit of romantic gallantry, and devotion towards the ladies, which was eſteemed the moſt neceſſary qualification of a true and gentle knight. Theſe courts were the ſchools in which the ladies, as well as the gentlemen, received their education. Both were often the wards of the prince or great baron; and while thoſe of the one ſex were educated with his ſons under his own eye, thoſe of

[20] Kennet's Parochial Antiquities, p. 57.

[21] Girald. Cambrenſ. apud Angl. Sacr. tom. 2. p. 430.

the other ſex were educated with his daughters under the inſpection of his lady. In this ſituation it was natural for the young perſons of each ſex to cultivate thoſe qualities which would render them moſt acceptable to the other. Theſe were gentleneſs, modeſty, and virtue, in the ladies; courteſy, valour, and gallantry, in the gentlemen. Accordingly we are told, that in theſe ſchools of chivalry, the youth were carefully inſtructed in the arts of love, and in all the rules and punctilios of a virtuous and honourable gallantry [22]. To render theſe leſſons more effectual, the young gentlemen choſe miſtreſſes among the young ladies of the courts in which they reſided, to whom they addreſſed all their vows, and practiſed all their arts of pleaſing [23]. They became their conſtant attendants in aſſemblies, their champions at tournaments, the protectors of their perſons, fame, and fortune, and the avengers of their wrongs.

Knights. C

When the youth in theſe ſchools of chivalry had ſpent ſeven or eight years in the ſtation of eſquires, they received the honour of knighthood, moſt commonly from the hands of the prince, earl, or baron, in whoſe court they had ſpent their youth and received their education. That honour was preceded by various preparations, and accompanied with ſeveral pompous ceremonies; which are thus deſcribed by the beſt modern writer on this ſubject, who hath con-

[22] Memoires ſur la Chevalerie, part . [23] Id. ibid.

ſirmed every article of his deſcription by the moſt ſolid proofs. "Severe faſtings,—nights "ſpent in prayer in a church or chapel,—the ſa- "craments of penance, and the euchariſt re- "ceived with devotion,—bathing and putting "on white robes, as emblems of that purity of "manners required by the laws of chivalry,— "confeſſion of all their ſins,—with ſerious at- "tention to ſeveral ſermons, in which the faith "and morals of a good Chriſtian were explained, "were the neceſſary preparations for receiving "the honour of knighthood. When a candi- "date for that honour had performed all theſe "preliminaries, he went in proceſſion into a "church, and advanced to the altar, with his "ſword ſlung in a ſcarf about his neck. He pre- "ſented his ſword to a prieſt; who bleſſed it, and "put it again into the ſcarf, about the neck of "the candidate; who then proceeded in a ſo- "lemn pace, with his hands joined to the place "where he was to be knighted. This auguſt "ceremony was moſt commonly performed in a "church or chapel, in the great hall of a pa- "lace or caſtle, or in the open air. When the "candidate approached the perſonage by whom "he was to be knighted, he fell on his knees at "his feet, and delivered to him his ſword. "Being aſked, for what end he deſired the ho- "nour of knighthood? and having returned a "proper anſwer, the uſual oath was adminiſter- "ed to him with great ſolemnity. After this, "knights and ladies, who aſſiſted at the cere- "mony,

" mony, began to adorn the candidate with the " armour and enſigns of knighthood. Firſt, " they put on his ſpurs, beginning with the left " foot; next his coat of mail; then his cuiraſs; " afterwards the ſeveral pieces of armour for his " arms, hands, legs, and thighs; and, laſt of " all, they girt him with the ſword. When the " candidate was thus *dubbed*, as it was called, " the king, prince, or baron, who was to make " him a knight, deſcended from his throne or " ſeat, and gave him, ſtill on his knees, the " accolade, which was three gentle ſtrokes, with " the flat of his ſword on the ſhoulder, or with " the palm of his hand on the cheek; ſaying at " the ſame time,—*In the name of God, St. Mi-* " *chael, and St. George, I make thee a knight; be* " *thou brave, hardy, and loyal.* The new knight " was then raiſed from the ground, his helmet " put on, his ſhield and lance delivered to him, " and his horſe brought; which he mounted " without uſing the ſtirrup, and performed ſe- " veral courſes, diſplaying his dexterity in horſe- " manſhip, and in the management of his arms, " amidſt the acclamations of great multitudes " of people, who had aſſembled to behold the " ceremony [24]." Could any inſtitution be better adapted to inflame the ardour of the young nobility in aquiring the accompliſhments neceſſary to obtain an honour which was courted by the greateſt monarchs?

[24] Memoires ſur l'ancienne Chevalerie, par M. de la Curne de Sainte Paye, tom. 1. p. 72, &c.

The

Qualities neceſſary to knighthood.

The virtues and endowments that were neceſſary to form an accompliſhed knight in the flouriſhing times of chivalry, were ſuch as theſe,—beauty, ſtrength, and agility of body,—great dexterity in dancing, wreſtling, hunting, hawking, riding, tilting, and every other manly exerciſe;—the virtues of piety, chaſtity, modeſty, courteſy, loyalty, liberality, ſobriety; and above all, an inviolable attachment to truth, and an invincible courage.

Duties of a knight.

To perform the duties of a good and valiant knight, not one of theſe virtues and endowments was unneceſſary. For he was not only to be the delight and ornament of courts by his gallantry and politeneſs, but he was bound by oath—to ſerve his prince,—to defend the church and clergy,—to protect the perſons and reputations of virtuous ladies,—and to reſcue the widow and orphan from oppreſſion, with his ſword, at the hazard of his life [25]. Few, we may preſume, poſſeſſed all theſe qualifications, and performed all theſe duties in perfection. But ſtill an inſtitution ſo virtuous in its principles, and honourable in its ends, muſt have done much good, and prevented many evils. We have even reaſon to believe, that chivalry, which, under the name of knight errantry, hath long been an object of ridicule, was one of the happieſt inventions of the ages in which it flouriſhed.

[25] Memoires ſur l'ancienne Chevalerie, par M. de la Curne de Sainte Palaye, tom. i. p. 72, &c.

Surnames. The uſe of family-ſurnames, deſcending from father to ſon, ſeems to have been introduced into Britain by the Normans at the beginning of this period. For among the Anglo-Saxons, perſons who bore the ſame Chriſtian name, were diſtinguiſhed from one another by deſcriptive epithets, as the black the white, the long, the ſtrong, &c. and theſe epithets were not given to their ſons if they did not poſſeſs their properties [26]. Family-ſurnames, at their firſt introduction, like family-arms, were confined to perſons of rank and fortune, who moſt commonly took their ſurnames from the caſtles in which they reſided, or the eſtates which they poſſeſſed [27]. This is the true reaſon of the ſurnames of ſo many of the noble and honourable families in England, being the ſame with the names of certain towns, caſtles, and eſtates in Normandy, France, and Flanders. The anceſtors of theſe families were lords of theſe eſtates and caſtles; and being proud of their native country and family poſſeſſions, they retained their names after they had ſettled in England, and tranſmitted them to their poſterity [28]. It was not till after the concluſion of this period that ſurnames were univerſally aſſumed by the common people.

Coat-armour. The uſe of coats of arms, diſtinguiſhing one great family from another, and deſcending from father to ſon, appears to have been introduced

[26] See vol. 4. ch. 7. p. 251. Verſtigan, ch. 8.
[27] Camden's Remain, p. 113. [28] id. ib'd.

into Britain about the ſame time with family-ſurnames, and by the ſame noble Normans. The Anglo-Saxon warriors adorned their ſhields and banners with the figures of certain animals, or with other devices; but in doing this every particular perſon followed his own fancy, without any regard to the figures or devices that had been borne by his anceſtors [29]. But about the time of the firſt croiſades, greater attention began to be paid to theſe deviſes, when it was diſcovered that they might be uſeful as well as ornamental. "About this time (ſays one of our "beſt antiquaries) the eſtimation of arms began "in the expeditions to the Holy Land; and "afterwards by little and little became here-"ditary; when it was accounted moſt honour-"able to carry thoſe arms which had been diſ-"played in the Holy Land, in that holy ſer-"vice againſt the profeſſed enemies of Chriſtia-"nity [30]." Juſts and tournaments, the favourite diverſions of the great and brave in this period, contributed not a little to render arms hereditary. For a noble ſon, proud of the honours that had been gained by an illuſtrious father in thoſe fields of fame, delighted to appear with the ſame devices on his ſhield at the like ſolemnities [31]. It was only, however, by ſlow degrees, and in the courſe of almoſt two centuries, that

[29] Camden's Remains, p. 206. Les Mœurs de Françoys, par M. le Gendre, p. 88.

[30] Camden's Remains, p. 208. [31] Le Gendre, p. 88.

this

this cuſtom became conſtant and univerſal even in noble families.

Norman magnificence.

The many noble Normans who ſettled in England after the conqueſt, introduced a more magnificent and ſplendid manner of living than had been known among the Anglo-Saxons. This we learn from a writer who flouriſhed ſoon after the conqueſt, and had the beſt opportunities of being well informed; who tells us, that the Engliſh nobles were univerſally addicted to exceſſive drinking, and ſpent their ample revenues in a ſordid manner, in mean and low houſes; but that the Norman barons dwelt in ſtately and magnificent palaces, kept elegant tables, and were very ſplendid in their dreſs and equipage [32]. William Longchamp, biſhop of Ely, had no fewer than a thouſand, ſome contemporary writers ſay fifteen hundred, horſemen in his retinue: and to furniſh his table, ſays a prelate who was his contemporary, all the different kinds of beaſts that roam on the land, of fiſhes that ſwim in the waters, and of birds that fly in the air, were collected [33]. The Norman kings and nobles diſplayed their taſte for magnificence, in the moſt remarkable manner, at their coronations, their royal feaſts of Chriſtmas, Eaſter, and Whitſuntide, and at their tournaments which were all celebrated with incredible expence and pomp [34].

[32] W. Malmſ. l. 3. p. 57. col. 2.

[33] J. Brompt. p. 1193. Benedict Abbas, p. 701. Anglia Sacra, tom. 2. p. 407.

[34] M. Paris, p. 108.

One

Great retinues of the Norman kings and nobles.

One thing that contributed very much to ſwell the retinues of the Norman kings, prelates, and nobles, was the neceſſity they were under of carrying with them not only their proviſions, but even a great part of the furniture of their houſes in their journies. Peter of Blois, who was chaplain to Henry II. in his curious deſcription of a court-life, paints the prodigious crouds, confuſion, and buſtle, with which the royal progreſſes were attended, in very ſtrong colours. "When "the king ſets out in the morning, you ſee mul- "titudes of people running up and down as if "they were diſtracted; horſes ruſhing againſt "horſes; carriages overturning carriages; play- "ers, whores, gameſters, cooks, confectioners, "mimics, dancers, barbers, pimps, and para- "ſites, making ſo much noiſe, and, in a word, "ſuch an intolerable tumultuous jumble of horſe "and foot, that you imagine the great abyſs "hath opened, and that hell hath poured out "all its inhabitants [35]." William Fitz-Stephen preſents us with a very curious deſcription of the retinue and parade with which the famous Thomas Becket uſed to travel, when he was chancellor of England. "He was attended with "about two hundred knights, eſquires, young "noblemen, pages, clerks, and officers of his "houſehold, who, together with their attend- "ants, were well armed, dreſſed, and mounted, "every one according to his rank. He had in

[35] P. Bleſenſ. Epiſt. 14.

"his

" his train eight waggons, each drawn by five " of the ſtrongeſt horſes; two of theſe waggons " contained his ale, one contained the furniture " of his chapel, another the furniture of his " chamber, and another the furniture of his " kitchen; the other three were filled with pro- " viſions, clothes, and other neceſſaries. He " had beſides twelve pack-horſes, who carried " trunks, containing his money, his gold and " ſilver plate, his books, his apparel, and the " ornaments of the altar. To each of the wag- " gons was chained a fierce and terrible maſtiff, " and on each of the pack-horſes ſat an ape or a " monkey [36]. In the expedition of Henry II. againſt Thoulouſe, his chancellor Becket had ſeven hundred knights in his pay, who dined every day at his own table, or at other tables provided for them [37].

Some things in their way of living mean and ſordid.

But in the midſt of all this magnificence in which the Norman kings and nobles lived, there were ſome things in their domeſtic œconomy, which muſt appear to us exceedingly mean and ſordid. Several eſtates in England were held by the tenure of finding clean ſtraw for the king's bed, and litter for his chamber, as often as he lodged at a certain place [38]. Fitz-Stephen, in his life of Thomas Becket, mentions this as a proof of his elegant manner of living,—" That " he commanded his ſervants to cover the floor

[36] W. Stephaned, Vita S. Thomæ, p. 20. [37] Id. ibid. p. 23.
[38] Blount's Fragmenta Antiquitatis, p. 28. Camd. Brit. vol. 1. p. 311.

" of

" of his dining-room with clean ſtraw or hay " every morning in winter, and with freſh bul- " ruſhes and green branches of trees every day " in ſummer, that ſuch of the knights who " came to dine with him, as could not find " room on the benches, might ſit down and dine " comfortably on the floor, without ſpoiling their " fine clothes [39]."

Curfew bell.

The cuſtom of covering up their fires about ſun-ſet in ſummer, and about eight or nine at night in winter, at the ringing of a bell called the *couvre-feu*, or *curfew-bell*, is ſuppoſed by ſome to have been introduced by William I. and impoſed upon the Engliſh as a badge of ſervitude. But this opinion doth not ſeem to be well founded. For there is ſufficient evidence, that the ſame cuſtom prevailed in France, Spain, Italy, Scotland, and probably in all the other countries of Europe, in this period; and was intended as a precaution againſt fires, which were then very frequent, and very fatal, when ſo many houſes were built of wood [40]. Henry I. reſtored the uſe of lamps and candles at court in the night, after the ringing of the couvre-feu bell, which had been prohibited by his predeceſſor William Rufus [41].

Virtues of the Anglo-Normans.

Piety.

Piety, or a regard to religion, may not improperly be placed at the head of the national virtues of the Anglo Normans. The beſt of our

[39] W. Stephaned, p. 14.

[40] Obſervations on the Statutes, p. 116. Du Cange Gloſſ. voc. *Ignetegium*.

[41] W. Malmſ. p. 88.

ancient

ancient hiſtorians make great complaints of the decay of piety among the Anglo-Saxons immediately before the conqueſt, and aſcribe that great calamity to the wrath of heaven againſt them on that account [42]. Nothing can exhibit a ſtronger picture of the different characters of the two nations in this reſpect, than the different behaviour of the Norman and Saxon armies in the night before the famous battle of Haſtings. The Normans ſpent that awful night in confeſſion, prayer, and other acts of devotion; while the Engliſh waſted it in noiſe and riot [43]. "Religion (ſays "William of Malmſbury), which was almoſt ex-"tinct in England, revived after the ſettlement "of the Normans. Then you might have "ſeen magnificent churches and monaſteries "ariſing in every village, town, and city. In "a word, ſo much did religious zeal flouriſh in "our country, that a rich man would have ima-"gined he had lived in vain, if he had not left "ſome illuſtrious monument of his pious muni-"ficence [44]." The religion, however, of the Anglo-Normans, in this period, was not of the moſt pure and rational kind. On the contrary, it conſiſted chiefly in building, adorning, and endowing churches, in performing certain ſuperſtitious ceremonies, in believing all the opinions, and obeying all the commands of the clergy.

[42] W. Malmſ. p. 57. col. 2. M. Paris. p. 4. col. 2.
[43] W. Pictaven. p. 201. Orderic. Vital. p. 501.
[44] W. Malmſ. p. 57. col. 2.

There

There was no virtue of which the Normans who ſettled in England were ſo proud, and to which they made ſuch high pretenſions, as martial courage and valour. This they claimed in a degree peculiar to themſelves, above all other nations. The ſpeech of William the Conqueror to his army, before the battle of Haſtings, was in this boaſtful ſtrain: "I addreſs you, O Nor-"mans! the moſt valiant of all nations, not as "doubting, but as ſecure of victory, which nei-"ther force nor fortune can wreſt out of your "hands. O ye braveſt of mortal men! what "availed the king of France at the head of all "the nations between Lorrain and Spain, againſt "your anceſtor Haſting, who ſeized as much of "France as he pleaſed, and kept it as long as he "thought proper?" &c. &c.[45] Almoſt a century after the conqueſt, the Normans ſtill conſidered themſelves as a diſtinct people from the Engliſh, and had loſt nothing of their high opinion of their own valour. This appears from the ſpeech of that venerable warrior Walter Eſpec, before the battle of the Standard: "Why ſhould "we deſpair of victory, though we are few in "number? Hath not the Almighty beſtowed "victory upon our nation, as its peculiar pro-"perty? How often have ſmall bodies of brave "Normans obtained glorious victories over great "armies of the people of France, Maine, Anjou, "and Aquitaine? Did not our own fathers

Valour of the Anglo Normans.

[45] J. Brompt.

"conquer

" conquer this iſland at one blow, on which the " invincible Julius beſtowed ſo much time and " blood? We have ſeen, my brave Normans, " we ourſelves have ſeen, the king of France, " and his whole army, flying before us, many " of his greateſt barons ſlain, and others taken " priſoners. Who were the conquerors of " Sicily, Apulia, and Calabria, but the valiant " Normans?" &c. &c. [46].

Sobriety, Sobriety may not improperly be reckoned among the national virtues of the Anglo-Normans, eſpecially at the time of their Settlement in England. The moſt ancient of our hiſtorians who had opportunities of converſing with the Normans and Engliſh, before they were ſo blended together as to form one people, commend the former for their ſobriety, as much as they condemn the latter for their intemperance. " The Engliſh (ſays William of Malmſbury) " were much addicted to exceſſive eating and " drinking, in which they ſometimes ſpent both " day and night, without intermiſſion. The " Normans were very unlike them in this reſpect, " being delicate in the choice of their meats and " drinks, but ſeldom exceeding the bounds of " temperance. By this means the Normans " lived with greater elegance, and at leſs ex- " pence, than the Engliſh [47]." The cuſtom, however of drinking to pegs, which had been

[46] Ethelredus de bello Standardi, p. 339, 340.
[47] W. Malmſ. l. 3. p. 57. col. 2.

intro-

introduced by a law of Edgar the Peaceable, ſtill continued in this period [48]." For by a canon of the council of Weſtminſter, held A. D. 1102, the clergy are prohibited to frequent ale-houſes, or to drink to pegs [49]. It appears alſo, that before the concluſion of this period, many of the Normans had adopted the manners of the Engliſh, and departed from the ſobriety of their anceſtors. "When you behold (ſays Peter of "Blois) our barons and knights going upon a "military expedition, you ſee their baggage-"horſes loaded, not with iron but wine, not "with lances but cheeſes, not with ſwords but "bottles, not with ſpears but ſpits. You would "imagine they were going to prepare a great "feaſt rather than to make war [50]. There are "even too many who boaſt of their exceſſive "drunkenneſs and gluttony, and labour to "acquire fame by ſwallowing great quantities "of meat and drink [51]."

Gallantry and regard to the point of honour.

The point of honour was very much reſpected by the Normans in this period, and they paid much regard to their plighted faith, eſpecially to the ladies. A moſt remarkable example of this occurs in the hiſtory of king Stephen. The empreſs Maud, from whom Stephen had uſurped the crown of England, was beſieged by him in Arundel caſtle, the reſidence of the queen-dowa-

[48] See vol. 4. p. 341. [49] Eadmerus, p. 67.
[50] P. Bleſenſ. Ep. 24. p. 146. col. 2.
[51] Id. Ep. 86. p. 130. col. 1.

ger, A. D. 1139, and might eaſily have been taken priſoner. But Stephen was prevailed upon to reſpect the ties of blood, and the honour due to ladies of ſo high a rank. He did not puſh the ſiege, but gave his word of honour to the empreſs, that he would cauſe her to be conducted in ſafety to the caſtle of Briſtol, the reſidence of Robert earl of Gloceſter, her natural brother and moſt powerful partizan. Though the empreſs knew that Stephen had violated the moſt ſolemn oaths which he had taken to ſupport her ſucceſſion to the crown, ſhe relied upon his word of honour, put herſelf under his protection, and was ſafely conducted to the caſtle of Briſtol. "The king (ſays William of Malmſbury) gave "to his brother Henry biſhop of Wincheſter, "and Walleran earl of Millent, the charge of "conducting the empreſs; an office which no "gallant and true knight could refuſe to perform "to his greateſt enemy [52]."

Wit and humour.

The Normans appear to have been a cheerful, witty, and facetious people, delighting much in innocent frolics and convivial jocularity. No qualities were more admired amongſt them than thoſe of wit and humour. It was to theſe qualities chiefly that king Stephen owed his popularity, and the ſucceſs of his uſurpation. "Stephen, "when he was an earl (ſays William of Malmſ-"bury, who was well acquainted with him), "gained the affections of the people to a degree

[52] W. Malmſ. l. 2. p. 704.

"that

" that can hardly be imagined, by the affability " of his manners, and the wit and pleaſantry of " his converſation. He condeſcended ſometimes " to chat and joke with perſons in very humble " ſtations, and the nobility were in general " charmed with him, and embraced his party [53]." Our hiſtorians of this period have taken the trouble to record many of the frolics and repartees of our princes, prelates, and great men; which is a ſufficient proof that they were conſidered as matters of importance, and not unworthy of a place in hiſtory. Nay ſo fond were the Normans of the innocent conflicts of wit and humour, that the greateſt enemies, in the very heat of a ſiege, ſometimes ſuſpended their hoſtilities, in order to engage in a more harmleſs combat of banter and repartee. When one of the contending parties deſigned this, he appeared in ſight of the other, dreſſed in white; which was underſtood and accepted as a challenge to a trial of wit [54]. John of Saliſbury cenſures, with great ſeverity, the exceſſive fondneſs of his countrymen and contemporaries for profeſſed wits and jeſters, and reproaches them for ſpending too much time, and taking too much delight, in their company [55].

Generoſity.

The Normans ſeem alſo to have been a generous open-hearted people, capable of very noble acts of bounty and liberality. Their profuſe dona-

53 W. Malmſ. Hiſt. Novel. l. 1. p. 101. col. 2.
54 Orderic. Vital. p. 784.
55 J. Sariſburien. Policrat. l. 1. ch. 8. p. 38.

tions to the church are well known, and were certainly far too great and numerous. Few princes have had more to give, or were more liberal in their donations, than the Norman kings of England. To ſay nothing of the ineſtimable grants made by William I. to his followers, all his ſucceſſors in this period diſplayed both their wealth and liberality at the three great feſtivals of Chriſtmas, Eaſter, and Whitſuntide, every year, and on many other occaſions. "In the month "of February, A. D. 1191 (ſays John Brompton), when Richard I. was at Meſſina in Sicily, "he made a preſent of ſeveral ſhips to the king "of France and his nobles. He alſo opened "his treaſures, and diſtributed to the earls, "barons, knights, and eſquires of the army, "greater ſums of money than any of his prede-"ceſſors had ever diſtributed in one year [56]."

Anecdote of Robert duke of Normandy.

The ſame hiſtorian hath preſerved the following curious anecdote, which may ſerve both as a proof and illuſtration of the wit, politeneſs, and generoſity of the Normans. When Robert duke of Normandy, father of William the Conqueror, was at Conſtantinople, in his way to the Holy Land, he lived in uncommon ſplendour, and was greatly celebrated for his wit, his affability, and other virtues. Of theſe many remarkable examples were related to the emperor; who reſolved to put the reality of them to a trial. With this view he invited the duke and all his nobles

[56] J. Brompt. Chron. p. 1193.

to a feaſt in the great hall of the Imperial palace, but took care to have all the tables and ſeats filled with gueſts, before the arrival of the Normans, of whom he commanded them to take no notice. When the duke, followed by his nobles in their richeſt dreſſes, entered the hall; obſerving that all the ſeats were filled with gueſts, and that none of them returned his civilities, or offered him any accommodation, he walked, without the leaſt appearance of ſurprize or diſcompoſure, to an empty ſpace, at one end of the room, took off his cloak, folded it very carefully, laid it upon the floor, and ſat down upon it; in all which he was imitated by his followers. In this poſture they dined, on ſuch diſhes as were ſet before them, with every appearance of the moſt perfect ſatisfaction with their entertainment. When the feaſt was ended, the duke and his nobles aroſe, took leave of the company in the moſt graceful manner, and walked out of the hall in their doublets, leaving their cloaks, which were of great value, behind them on the floor. The emperor, who had admired their whole behaviour, was quite ſurpriſed at this laſt part of it; and ſent one of his courtiers to intreat the duke and his followers to put on their cloaks. "Go (ſaid the duke), and tell your maſter, that "it is not the cuſtom of the Normans to carry "about with them the ſeats which they uſe at an "entertainment [57]." Could any thing be more

[57] J. D'ompt. Chron. p. 911.

delicate than this rebuke, or more noble, polite, and manly, than this deportment?

Foibles and vices of the Normans.

Theſe are the moſt remarkable of the national virtues and agreeable qualities of the Anglo-Normans which are mentioned by our hiſtorians of this period. We muſt not imagine that theſe virtues were either unmixed or univerſal. A regard to truth obliges me to reverſe the medal, and take a view of their moſt conſpicuous foibles and prevailing vices. But on this unpleaſant ſubject, the reader's attention ſhall not be long detained.

Their credulity.

The Normans were no leſs credulous than the Anglo-Saxons. This is evident from the prodigious number of miracles, revelations, viſions, and inchantments, which are related with the greateſt gravity by the beſt of their hiſtorians and other writers. "In this year (1171), about "Eaſter (ſays Matthew Paris), it pleaſed the "Lord Jeſus Chriſt to irradiate his glorious "martyr Thomas Becket with many miracles, "that it might appear to all the world he had "obtained a victory ſuitable to his merits. None "who approached his ſepulchre in faith, re-"turned without a cure. For ſtrength was "reſtored to the lame, hearing to the deaf, "ſight to the blind, ſpeech to the dumb, health "to lepers, and life to the dead. Nay, not only "men and women, but even birds and beaſts, "were raiſed from death to life[58]." Giraldus

[58] M. Paris, p. 87.

Cam-

Cambrenſis, who was one of the moſt learned and ingenious men of the twelfth century, amongſt many ridiculous ſtories of miracles, viſions, and apparitions, tells of one devil who acted a conſiderable time as a gentleman's butler with great prudence and probity; and of another who was a very diligent and learned clergyman, and a mighty favourite of his archbiſhop. This laſt clerical devil was, it ſeems, an excellent hiſtorian, and uſed to divert the archbiſhop with telling him old ſtories. "One day when he was "entertaining the archbiſhop with a relation of "ancient hiſtories and ſurpriſing events, the "converſation happened to turn on the incarna-"tion of our Saviour. Before the incarnation, "ſaid our hiſtorian, the devils had great power "over mankind; but after that event their "power was much diminiſhed, and they were "obliged to fly. Some of them threw them-"ſelves into the ſea; ſome concealed themſelves "in hollow trees, or in the clifts of rocks; and "I myſelf plunged into a certain fountain. As "ſoon as he had ſaid this, finding that he had diſ-"covered his ſecret, his face was covered with "bluſhes, he went out of the room, and was no "more ſeen [59]."

The Normans were as curious as they were credulous. This prompted them to employ many vain fallacious arts to diſcover their future fortunes, and the ſucceſs of their undertakings. Their curioſity.

[59] Girald. Cambrenſ. Itin. Camb. l. 1. ch. 12. p. 853.

John of Saliſbury enumerates no fewer than thirteen different kinds of diviners or fortune-tellers, who pretended to foretell future events; ſome by one means, and ſome by another [60]. Nor did this paſſion for penetrating into futurity prevail only among the common people, but alſo among perſons of the higheſt rank and greateſt learning. All our kings, and many of our earls and great barons, had their aſtrologers, who reſided in their families, and were conſulted by them in all undertakings of importance [61]. We find Peter of Blois, who was one of the moſt learned men of the age in which he flouriſhed, writing an account of his dreams to his friend the biſhop of Bath, and telling him how anxious he had been about the interpretation of them; and that he had employed for that purpoſe *divination by the pſalter* [62]. The Engliſh, it ſeems probable, had ſtill more ſuperſtitious curioſity, and paid greater attention to dreams and omens, than the Normans. For when William Rufus was diſſuaded from going abroad on the morning of that day on which he was killed, becauſe the abbot of Glouceſter had dreamed ſomething which portended danger, he is ſaid to have made this reply,—"Do you "imagine that I am an Engliſhman, to be "frighted by a dream, or the ſneezing of an "old woman [63]?" But the truth is, that exceſſive

60 J. Sariſburienſ. de Nugis Curialium, l. 1. cſ. 12. p. 36.
61 See chap. 6. p. 109.
62 P. Bleſenſ. Ep. 30. p. 51.
63 Orderic. Vital. p. 782.

ceſſive credulity and curioſity were the weakneſſes of the times, rather than of any particular nation.

If we give entire credit to the furious declamations of ſome of our hiſtorians, and other writers in this period, againſt the vices of their countrymen, we ſhould be conſtrained to believe, that the Anglo-Normans were a moſt profligate, vicious, and abandoned people. But ſuch declamations of recluſe and melancholy men have abounded in every age, and are always to be read with ſome degree of caution and diſtruſt. We have, however, the fulleſt evidence, that violations of the laws of humanity, chaſtity, and juſtice, prevailed ſo much amongſt that people in this period, that they may juſtly be called their national vices.

Though the Normans were a brave and generous, they were alſo a haughty, paſſionate, and fierce people, and their fierceneſs ſometimes degenerated into cruelty. "When it pleaſed "God (ſays one of our ancient hiſtorians) to "bring deſtruction upon the Engliſh; he em- "ployed the Normans to execute his vengeance, "becauſe he knew that they delighted more in "blood and ſlaughter than any other nation [64]." Nothing could be more deplorable than the devaſtations of William the Conqueror, in his expedition into Northumberland, A. D. 1070. He ſet out on that expedition, with a declared Their cruelty.

[64] Hen. Huntingdon, p. 212.

intention

intention to deſtroy the whole country with fire and ſword, and exterminate all its inhabitants, men, women, and children; and he executed that barbarous intention with a ſavage perſevering cruelty, of which there are not many examples in the hiſtory of mankind[65]. The deſcription given by the author of the Saxon Chronicle of the cruelties exerciſed in the reign of king Stephen, by the great barons and lords of caſtles, who were all Normans, affords a ſtill ſtronger proof of the exceſſes of which they were capable, when their paſſions were inflamed: "They grievouſly oppreſſed the poor people with "building caſtles; and when they were built, they "filled them with wicked men, or rather devils, "who ſeized both men and women who they "imagined had any money, threw them into "priſon, and put them to more cruel tortures "than the martyrs ever endured. They ſuffo-"cated ſome in mud, and ſuſpended others by "the feet, or the head, or the thumbs; kindling "fires below them. They ſqueezed the heads "of ſome with knotted cords, till they pierced "their brains, while they threw others into dun-"geons ſwarming with ſerpents, ſnakes, and "toads[66]." But it would be cruel to put the reader to the pain of peruſing the remainder of this deſcription.

Their violations of chaſtity.

The great proſperity of the Normans in England, ſeems to have contributed not a little to

[65] See vol. 5. p. 20.

[66] Chron. Saxon. p. 238.

inflame

inflame their paſſions and corrupt their manners. This is directly aſſerted by one of our ancient hiſtorians, in a paſſage already quoted in this chapter [67]. Their great power and proſperity, in particular, appears to have rendered them regardleſs of that reſpect and decency with which the fair ſex was commonly treated in thoſe times, and made them wanton and licentious in their behaviour to the wives and daughters of the Engliſh. This licentiouſneſs was ſo great, that the princeſs Matilda, daughter of Malcolm Canmore, king of Scotland, and afterwards queen of Henry I. being educated in England, was obliged to wear the vail of a nun, to preſerve her honour from being violated by the Normans. The princeſs herſelf affirmed, before a great council of the clergy of England, that this was the only reaſon of her having worn the vail: and the council admitted the validity of her plea, in theſe remarkable words:—"When the great "king William conquered this land, many of "his followers, elated by ſo great a victory, and "thinking that every thing ought to be ſubſervient to their will and pleaſure, not only ſeized "the poſſeſſions of the conquered, but invaded "the honour of their matrons and virgins, with "the moſt unbridled wantonneſs, whenever they "had an opportunity. This obliged many "young ladies, who dreaded their violence, to "take ſhelter in nunneries, and to put on the vail,

[67] See p. 317.

" to preſerve their honour[68]." When this diſſolution of manners was introduced, it was not eaſily corrected, but continued through the whole of this period, though direct violence was reſtrained. It would be highly improper to ſtain the pages of hiſtory with proofs and examples on this ſubject, which might eaſily be produced. Of the licentiouſneſs of manners in this reſpect, it will probably be thought ſufficient evidence that public ſtews were eſtabliſhed by law in London, and probably in other cities, in this period; and that the ladies of pleaſure who followed the camps and courts of the kings of England in all their motions, were formed into regular incorporations, and put under the government of officers, who were called *the marſhals of the whores*[69]. Theſe officers, both in the camp and court, had eſtates annexed unto them, and were hereditary.

Unnatural crime.

Several of our hiſtorians, and other writers in this period, reproach the Normans in the ſevereſt terms for introducing and practiſing an unnatural crime, which is too deteſtable to be named. To ſupport the truth of this aſſertion, a few of theſe reproaches in the original language, may be ſeen below[70].

That

[68] Eadmeri Hiſt. l. 3. p. 57.

[69] Stow's Survey of London, vol. 2. p. 7. Blount's Fragmenta Antiquitatis, p. 8. 80. 82. 85. 126.

[70] Nefandiſſimum Sodomæ ſcelus (ut illicita conſanguineorum connubia, et alia multa rerum deteſtandarum facinoroſa negotia, taceam), ſcelus inquam Sodomæ, novitèr in hac terra divulgatum, jam

That proſperity which plunged the Normans into theſe licentious courſes, prompted them to various acts of tyranny and oppreſſion, and emboldened them to invade the rights and injure the perſons of others, eſpecially of the unhappy Engliſh. Some of the tyrannical deſpotic actions of the ſovereigns who reigned in this period, have been occaſionally mentioned, to which many more of the ſame kind might eaſily be added [71]. But the ſovereigns were not the only tyrants in the times we are now delineating. Many earls, barons, ſheriffs, foreſters, and judges, were petty deſpots in their ſeveral diſtricts. One of our ancient hiſtorians deſcribes the ſtate of England, at the death of William the Conqueror, in this manner: "The Normans had now fully "executed the wrath of Heaven on the Engliſh. "For there was hardly one of that nation who "poſſeſſed any power, but they were all involved "in ſervitude and ſorrow, in ſo much that to be "called an Engliſhman, was a reproach.——In "thoſe miſerable times, many oppreſſive taxes "and tyrannical cuſtoms were introduced. The Tyranny and oppreſſion.

jam plurimum pullulavit, multoſque ſuo immanitatæ fœdavit. *Eadmeri Hiſt. l. 1. p. 24.*

Nefandum egitur illud et enorme nimis Normannorum crimen, quod olim a Francis mutuati, nunc ſibi velut proprium vindicant. *Anglia Sacra, tom. 2. p. 406.*

Sed quid filias et uxores (quod licet jura prohibeant, tamen quocunque modo natura permittit) exponi queror aut proſtitui? In ipſam naturam, quaſi gigantes alii, Theomachiam novam exercentes inſurgunt. Filios offerunt Veneri, &c. *J. Sariſburienſ. l. 3. p. 195.*

[71] See p. 79, 82.

"king

"king himſelf, when he had let his lands at their "full value, if another tenant came and offered "more, and afterwards another, and offered "ſtill more, violated all his former pactions, and "gave them to him who offered moſt. The "great men were inflamed with ſuch a violent "rage for money, that they cared not by what "means it was acquired. The more they talked "of juſtice, the more injuriouſly they acted. "Theſe who were called juſticiaries, were the "fountains of all iniquity. Sheriffs and judges, "whoſe duty it was to pronounce righteous "judgments, were the moſt cruel of all tyrants, "and greater plunderers than common thieves "and robbers [72]." The truth is, that the caſtles of ſome of the great barons were no better than dens of thieves, and robbers, who extorted money from the unfortunate people who fell into their hands, by the moſt cruel methods [73]. The woods alſo were haunted by troops of banditti, who were ſo terrible to the inhabitants of the ſurrounding countries, that they had a form of prayer againſt robbers, which they ſaid every evening when they ſhut their doors and windows [74]. In a word, there is the fulleſt evidence, that in this period, both the lives and properties of the people of England were expoſed to many injuries and dangers from ſeveral different quarters.

[72] Hen. Hunt. l. 8. p. 212.
[73] See p. 345, 346. W. Malmſ. l. 2. p. 105.
[74] M. Paris. Vit. Abbat. p. 29. col. 1.

The

The inhabitants of Wales, and of the far greateſt part of Scotland, ſtill continued to ſpeak the languages of their anceſtors, the ancient Britons and Caledonians; an account of which hath been already given[75]. As the people of England conſiſted of two different nations, the Normans and Anglo-Saxons, they ſpoke, for a conſiderable time at leaſt, two different languages, the Norman-French and the Saxon. The obſervations which have been made on the former of theſe languages, commonly called *the Romance tongue*, in the fourth and fifth chapters of this book, together with the ſpecimens which have been given of it in the laſt of theſe chapters, will, it is hoped, be thought ſufficient to give a tolerable view of its origin and ſtructure, and prevent the neceſſity of ſaying any thing further upon it in this place[76]. A ſtill more extended deſcription of the Saxon tongue hath been given in the ſeventh chapter of the fourth volume, to which the reader is referred[77]. In ſpite of all the efforts that were made by the Norman conquerors to aboliſh this language, and introduce their own in its room, it ſtill continued to be the vulgar tongue of the great body of the people of England through the whole of this period, with ſuch ſlight and gradual changes as time and other circumſtances are apt to make in all living Language.

75 See vol. 2. p. 336, &c. Appendix, N° 10. p. 486.
76 See chap. 4. p. 89. chap. 5. p. 228.
77 See vol. 4. p. 362—373.

languages.

languages. Theſe changes appear to have been very ſlow, and almoſt imperceptible, in the courſe of a whole century after the conqueſt. Of this we may be convinced, by comparing the charter of king Harold[78], written a little after the middle of the eleventh century, with the laſt paragraph of the Saxon Chronicle, written a little after the middle of the twelfth century. To enable us to make this compariſon, that paragraph, with a literal tranſlation interlined, is here ſubjoined:

Specimen of the Saxon of this period.

An. MCLIV. On this yær wærd the king
A. D. 1154. *In this year was the king*

Stephen ded; and bebyried there his wif and
Stephen dead; and buried where his wife and

his ſune wæron bebyried æt Tauresfeld. That
his ſon were buried at Touresfield. That

minſtre hi makiden. Tha the king was ded,
minſter he made. When the king was dead,

tha was the eorl beionde ſæ. And ne durſte
then was the earl beyond ſea. And not durſt

nan man don other, bute god for the micel[79]
no man do other, but good for the great

[78] See vol. 4. p. 371—373.

[79] This word is ſtill uſed in Scotland in the ſame ſenſe.

eie

eie of him. Tha he to Engleland come, tha
awe of him. When he to England came, then

was he under-fangen mid micel wartſcipe; and
was he received with great worſhip; and

to king bletcæd in Lundine, on the
to be king conſecrated in London, on the

Sunnen dæi beforen mid-winter-dæi.
Sunday before mid-winter-day.

From the above ſpecimen it appears, that the chief difference between the Saxon that was ſpoken in England at the conqueſt, and that which was ſpoken a century after, conſiſted in this, that the latter approached a little nearer to modern Engliſh than the former, and differed from it rather in the diſpoſition and ſpelling of the words, than in the words themſelves. For in this ſpecimen there are not above three or four words that are abſolutely unintelligible to an Engliſh reader. This fragment alſo affords a further evidence of a very curious fact, which might be proved by many other arguments,—that the enmity between the Normans and Anglo-Saxons continued very long, and that they mingled as little as poſſible in converſation during the firſt century after the conqueſt. For, in the above ſpecimen, there is not ſo much as one word derived from the language of the Normans. By ſlow degrees, however, this enmity abated, and the two nations began to converſe more

Obſervations on the above ſpecimen.

more familiarly together; which naturally produced this effect, that the language of the great majority of the people became the prevailing and vulgar tongue of the whole, but mixed with a tincture of the language of the minority. The ſteps by which this effect was produced will be traced in the next period of this work.

Dreſs. The people of Normandy and Flanders, of which great numbers followed the Conqueror into England, were remarkable for the beauty and elegance of their perſons [80]. They were alſo very oſtentatious and fond of pomp. Theſe two things prompted them to pay great attention to their dreſs; of which it is proper to give a very brief deſcription [81].

Long curled hair. There was hardly any thing againſt which the clergy in this period declaimed with greater vehemence, than the long curled hair of the laity, eſpecially of the courtiers [82]. Deprived of this ornament themſelves, by their clerical tonſure, they endeavoured to deter others from enjoying it, by repreſenting it as one of the greateſt crimes, and moſt certain marks of reprobation. Anſelm archbiſhop of Canterbury even pronounced the then terrible ſentence of excommunication againſt all who wore long hair, for which pious zeal he is very much commended [83]. Serlo, a Norman biſhop, acquired great honour

[80] W. Malmſ. l. 5. p. 98. col. 1. [81] Hen. Hunt. p. 222. col. 1.
[82] Eadmeri Hiſt. p 23. Orderic. Vital. p. 682.
[83] Eadmer. p. 81.

by

by a ſermon which he preached before Henry I. A. D. 1104, againſt long and curled hair, with which the king and all his courtiers were ſo much affected, that they conſented to reſign their flowing ringlets, of which they had been ſo vain. The prudent prelate gave them no time to change their minds, but immediately pulled a pair of ſhears out of his ſleeve, and performed the operation with his own hand[84]. Another incident happened about twenty-five years after; which gave a temporary check to the prevailing fondneſs for long hair: it is thus related by a contemporary hiſtorian: "An event happened, "A. D. 1129, which ſeemed very wonderful "to our young gallants; who, forgetting that "they were men, had transformed themſelves "into women by the length of their hair. A "certain knight, who was very proud of his "long luxuriant hair, dreamed that a perſon ſuf-"focated him with its curls. As ſoon as he "awoke from his ſleep, he cut his hair to a "decent length. The report of this ſpread "over all England, and almoſt all the knights "reduced their hair to the proper ſtandard. But "this reformation was not of long continuance. "For in leſs than a year all who wiſhed to appear "faſhionable, returned to their former wicked-"neſs, and contended with the ladies in length "of hair. Thoſe to whom nature had denied "that ornament, ſupplied the defect by art[85]."

[84] Orderic Vital. p. 816.

[85] W. Malmſ. Hiſt Novel. l. 1. p. 99. col. 2.

Shaved their beards.

The Normans had as great an averſion to beards, as they had a fondneſs for long hair. Among them, to allow the beard to grow, was an indication of the deepeſt diſtreſs and miſery[86]. They not only ſhaved their beards themſelves, but, when they had authority, they obliged others to imitate their example. It is mentioned by ſome of our ancient hiſtorians, as one of the moſt wanton acts of tyranny in William the Conqueror,—that he compelled the Engliſh (who had been accuſtomed to allow the hair of their upper lips to grow) to ſhave their whole beards[87]. This was ſo diſagreeable to ſome of that people, that they choſe rather to abandon their country than reſign their whiſkers[88].

Veſtments.

The veſtments of the Normans at the conqueſt, and for ſome time after, were ſimple, convenient, and even graceful; but before the end of this period they degenerated not a little from their ſimplicity, and became fantaſtical enough in ſome particulars. Thoſe of the men were—caps or bonnets for the head,—ſhirts, doublets, and cloaks, for the trunk of the body,—and breeches, hoſe, and ſhoes, for the thighs, legs, and feet. It may be proper to take a little notice of what was moſt remarkable in each of theſe.

Their caps and bonnets.

The caps or bonnets of the Anglo-Normans were made of cloth, or furs. They were of various ſhapes and colours, and differently orna-

86 Orderic. Vital. p. 847.

87 M. Pariſ. Vit. Abbat. p. 29.

88 Id. ibid p. 30.

mented,

mented, according to the taſte, rank, and circumſtances of the wearers. The Jews were obliged to wear ſquare caps of a yellow colour, to diſtinguiſh them from other people [89]. The bonnets of kings, earls, and barons, eſpecially thoſe which they uſed at public ſolemnities, were of the fineſt cloths, or richeſt furs, and adorned with pearls and precious ſtones [90].

Their ſhirts.

The ſhirts of all perſons of rank and fortune, and even of the great body of the people, were of linen; which was now become ſo common, that it was no longer taken notice of by our writers as a ſingularity. As this part of dreſs is not much ſeen, it hath not been much affected by the tyranny of caprice and faſhion.

Their doublets.

Doublets or circoats were worn next the ſhirt, and made to fit the ſhape of the body. This veſtment appears to have been uſed ſhorter or longer, at different times, and even at the ſame time, by perſons of different ranks. For while the circoats of kings, and perſons of quality, reached almoſt to their feet, thoſe of the common people reached no lower than the middle of the thigh, that they might not incommode them in labouring [91]. The ſleeves of theſe doublets reached to the wriſts. They were put on, over the head, like a ſhirt, and made faſt about the

89 Du Cange Gloſſ. tom. 8. p. 483.

90 See Mr. Strutt's View of the Manners, Cuſtoms, &c. vol. 1. plates 42. 44. 49.

91 Id. ibid. vol. 1. plates 8, 9, 10, 11, 12, 13.

waiſt with a belt or girdle. The girdles of kings were commonly embroidered with gold, and ſet with precious ſtones[92].

Mantles. The cloak or mantle was one of the chief veſtments of the Anglo-Normans. The mantles worn by kings, and other great perſons, were very valuable, being made of the fineſt cloths, embroidered with gold or ſilver, and lined with the moſt coſtly furs. Robert Bloet, the ſecond biſhop of Lincoln, made a preſent to Henry I. of a cloak of exquiſitely fine cloth, lined with black ſables, with white ſpots, which coſt £ 100 of the money of thoſe times, equal in efficacy to £ 1500 of our money at preſent[93]. The cloak of Richard I. was ſtill more ſplendid, and probably more expenſive. It is thus deſcribed by his hiſtorian: "The king wore a cloak, ſtriped "in ſtraight lines, adorned with half-moons of "ſolid ſilver, and almoſt covered with ſhining "orbs, in imitation of the ſyſtem of the hea-"venly bodies[94]." The faſhion of their cloaks changed oftener than once in this period, particularly as to their length. Henry II. introduced the ſhort cloak of Anjou, from which he got the ſurname of *Court-Mantle*[95]. At another time the faſhion was in the other extreme. "In our days "(ſays Ordericus Vitalis) they ſweep the ground "with their long cloaks and gowns, whoſe long

[92] See Mr. Strutt's View of the Manners, Cuſtoms, &c. vol. 2 p. 16.

[93] Anglia Sacra, tom. 2. p. 417.

[94] Viniſauf. Iter. Hieroſolymit. l. 2. c. 36. p. 325.

[95] J. Brompt. col. 1150.

"and

"and wide ſleeves cover their hands, ſo that "they can neither walk nor act with free-"dom[96]."

Kings, earls, and great barons, uſed a garment in this period, called, in Latin, *rheno*, for which I do not know an Engliſh name. It was made of the fineſt furs; covered the neck, breaſt, and ſhoulders; and was equally comfortable and ornamental[97]. Rheno.

It is unneceſſary to detain the reader with a deſcription of the breeches and ſtockings of the Anglo-Normans. They were both of cloth, of different colours, and different degrees of fineneſs, according to the different fancies and circumſtances of the wearers. William Rufus diſdained to wear a pair of ſtockings which coſt leſs than a mark, equivalent to about ten pounds of our money at preſent[98]. Breeches and ſtockings.

The ſhoes of the Normans, when they ſettled in England, ſeem to have had nothing remarkable in their make. But before the end of this period, a very ridiculous and inconvenient faſhion of ſhoes was introduced. This faſhion made its firſt appearance in the reign of William Rufus; and was introduced by one Robert, ſurnamed *the Horned*, from the faſhion of his ſhoes. He was a great beau in the court of that prince, and uſed ſhoes with long ſharp points, ſtuffed with Shoes.

[96] Orderic. Vital. p. 682.

[97] Id. p. 535. Du Cange Gloſſ. voc. *Rheno*.

[98] W. Malmſ. p. 69.

tow, and twiſted like a ram's horn[99]. This ridiculous faſhion, ſays the hiſtorian, was admired as a happy invention, and adopted by almoſt all the nobility[100]. The clergy were offended at this faſhion, and declaimed againſt theſe long-pointed ſhoes with great vehemence; but to no purpoſe. For the length of theſe points continued to increaſe through the whole of this period, and the greateſt part of the next; when we ſhall find them arrived at a degree of extravagance which is hardly credible.

Women's dreſs.

The two ſexes did not differ very much from each other in their dreſs, in the preſent period. The inner garments of women were more large and flowing in the under part, than thoſe of men, and reached to the ground. Their mantles had commonly hoods annexed to them, which ſometimes hung down behind as an ornament, and at other times covered their heads. The girdles of princeſſes and ladies of quality were richly ornamented with gold, pearls, and precious ſtones, and at their girdles they had a large purſe or pouch ſuſpended. Both their inner garments and their mantles of ſtate were embroidered with various figures, and lined with furs. They wore collars of pearls or precious ſtones about their necks, and rings of great value on their fingers. The above deſcription is chiefly taken from the prints, of Eleanor, queen of Henry II. Beren-

[99] W. Malmſ. p. 69. col. 2. Orderic. Vital. p. 682.
[100] Id. ibid.

garia,

garia, queen of Richard I. and Elizabeth, queen of king John, in the work quoted below [101].

The Anglo-Normans are ſaid to have been more delicate in the choice and dreſſing of their victuals than the Anglo-Saxons [102]. It may appear fanciful to ſuggeſt, that the art of cookery was improved by the introduction of feudal tenures, and yet this ſuggeſtion is very probable. For after theſe tenures were introduced, the office of cook, in great families, became hereditary, and had an eſtate annexed unto it; which naturally engaged fathers to inſtruct their ſons with care, in the knowledge of an art to which they were deſtined by their birth [103]. We even meet with eſtates held by the tenure of dreſſing one particular diſh of meat [104]. Diet.

The Anglo-Normans had only two ſtated meals a day, which were dinner and ſupper. By the famous laws of Oleron, thoſe ſailors who were allowed ſtrong drink of any kind at the ſhip's expence, were to have only one meal a day from the kitchen; but the Norman ſailors were to have two meals a day, becauſe they had only water at the ſhip's allowance [105]. Robert earl of Millent, the prime miniſter and great favourite of Henry I. laboured earneſtly, both by his example and exhortations, to perſuade the nobility Only two meals a day.

[101] Les monumens de la Monarchie Françoiſe, par Montfauçon, tom. 2. plate 15. p. 114.

[102] W. Malmſ. p. 57. col. 2. [103] Fleta, l. 2. c. 75.

[104] Blount's Fragmenta Antiquitatis, p. 1.

[105] Godolphin's View of the Admiral Juriſdiction, p. 177.

of

of England to have only one formal ſtated meal a day in their families [106]. Henry of Huntington complains very feelingly, that this parſimonious cuſtom prevailed too much in his time; and that many great men had only one meal a day in their houſes, which he imagined proceeded from their avarice rather than from their love of temperance, as they pretended [107]. This ſtated meal, where there was only one, was an early and plentiful ſupper; but the moſt common cuſtom was to have two meals, a dinner and a ſupper.

The times of dinner and ſupper.

The time of dinner, in this period, even at court, and in the families of the greateſt barons, was at nine in the forenoon, and the time of ſupper at five in the afternoon. Theſe times were very convenient for diſpatching the moſt important buſineſs of the day without interruption; as the one was before it begun, and the other after it was ended. They were alſo thought to be friendly to health and long life, according to the following verſes, which were then often repeated:

Lever a cinq, dinner a neuf,
Souper a cinq, coucher a neuf,
Fait vivre d'ans nonante et neuf [108].

To riſe at five, to dine at nine,
To ſup at five, to bed at nine,
Makes a man live to ninety-nine.

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[106] W. Malmſ. p. 90. col. 2. [107] Hen. Hunt. l. 6. p. 209.
[108] Recreations Hiſtoriques, tom. 1. p. 170.

At

At dinner and ſupper, but eſpecially at the laſt, the tables of princes, prelates, and great barons, were plentifully furniſhed with many diſhes of meat, dreſſed in ſeveral different ways. William the Conqueror, after he was peaceably ſettled on the throne of England, ſent agents into different countries, to collect the moſt admired and rare diſhes for his table; by which means, ſays John of Saliſbury, this iſland, which is naturally productive of plenty and variety of proviſions, was overflowed with every thing that could inflame a luxurious appetite [109]. The ſame writer tells us, that he was preſent at an entertainment which laſted from three o'clock in the afternoon to midnight; at which delicacies were ſerved up, which had been brought from Conſtantinople, Babylon, Alexandria, Paleſtine, Tripoli, Syria, and Phenicia [110]. Theſe delicacies we may preſume were very expenſive. Thomas Becket, if we may believe his hiſtorian Fitz-Stephen, gave five pounds, equivalent to ſeventy-five pounds at preſent, for one diſh of eels [111]. The ſumptuous entertainments which the kings of England, and of other countries, gave to their nobles and prelates, at the feſtivals of Chriſtmas, Eaſter, and Witſuntide, in which they ſpent a great part of their revenues, contributed very much to diffuſe a taſte for profuſe and expenſive banquetting. It was natural for a proud Their proviſions.

[109] J. Sariſburienſ. p. 553. [110] Id. p. 555.
[111] W. Stephaned. Vita S. Thomæ, p. 21.

and

and wealthy baron to imitate, in his own caſtle, the entertainments he had ſeen in the palace of his prince. Many of the clergy too, both ſeculars and regulars, being very rich, kept excellent tables. The monks of St. Swithins, at Wincheſter, made a formal complaint to Henry II. againſt their abbot, for taking away three of the thirteen diſhes they uſed to have every day at dinner [112]. The monks of Canterbury were ſtill more luxurious; for they had at leaſt ſeventeen diſhes every day, beſides a deſſert; and theſe diſhes were dreſſed with ſpiceries and ſauces, which excited the appetite as well as pleaſed the taſte [113].

Diſhes now unknown.

Great men had ſome kinds of proviſions at their tables, that are not now to be found in Britain. When Henry II. entertained his own court, the great officers of his army, with all the kings and great men of Ireland, in Dublin, at the feaſt of Chriſtmas, A. D. 1171, the Iriſh princes and chieftains were quite aſtoniſhed at the profuſion and variety of proviſions which they beheld, and were with difficulty prevailed upon by Henry to eat the fleſh of cranes, a kind of food to which they had not been accuſtomed [114]. In the remaining monuments of this period, we meet with the names of ſeveral diſhes, as dellegrout, maupigyrnun, karumpie,

[112] Giraldus Cambrenſ. de Rebus a ſe geſtis, l. 2. c. 5.
[113] Id. ibid.
[114] Girald. Cambrenſ. Expugnatio Hiberniæ, l. 1. c. 32.

&c.

&c. the compoſition of which, I imagine, is now unknown [115].

The people of Britain, eſpecially perſons of rank and fortune, had ſeveral kinds of bread in this period. That which is called in latin *panis piperatus*, was made of the fineſt flour mixed with ſpices, and is ſometimes mentioned by our ancient hiſtorians [116]. Simnel and waſtel cakes were made alſo of the fineſt flour, and were ſeldom ſeen, except at the tables of kings, prelates, barons, or monks. When the king of Scotland reſided in the court of England, he was, by charter, allowed twelve of the king's waſtel cakes, and twelve of his ſimnel cakes, every day for his table [117]. But the moſt common bread uſed by perſons in comfortable circumſtances, was made of the whole flour, coarſe and fine, the price of which was very early ſettled by law in proportion to the price of wheat [118]. The common people had bread made of the meal of rye, barley, or oats [119]. Their bread.

Perſons of high rank and great fortunes had variety of liquors, as well as of meats. For, beſides wines of various kinds, they had pigment, morat, mead, hypocras, claret, cyder, perry, and ale. Some of theſe liquors, as pigment and morat, have been already deſcribed; Their drinks.

[115] Fragmenta Antiquitatis, p. 1. M. Paris. Vit. Abbat. p. 32. col. 2. [116] Gervas Chron. col. 1520.

[117] Rymeri Fœdera, tom. 1. p. 87. [118] M. Paris, p. 145.

[119] Spelmanni Gloſſ. p. 467. col. 2.

and

and others of them, as mead, cyder, perry, and ale, are ſo well known, that they need no deſcription [120]. The claret of thoſe times was wine clarified, and mixt with ſpices; and hypocras was wine mixed with honey. The curious reader may find directions for making both theſe liquors in the work quoted below [121].

Diverſions. As the Anglo-Norman nobles were neither men of buſineſs nor men of letters, they had much leiſure, and ſpent much time in their diverſions; which were either martial—rural—theatrical—or domeſtic.

Martial ſports. The martial ſports of the middle ages, commonly called *tournaments*, were the favourite diverſions of the princes, barons, and knights of thoſe times. They had indeed the moſt powerful motives to be fond of theſe diverſions. For it was at tournaments that princes, earls, and wealthy barons, appeared in the greateſt pomp and ſplendour. Tournaments were the beſt ſchools for acquiring dexterity and ſkill in arms, and the moſt public theatres for diſplaying theſe accompliſhments, and thereby gaining the favour of the fair and the admiration of the world [122].

Origin of tournaments. Tedious inveſtigations of the origin of theſe martial ſports, are neither ſuited to the nature of general hiſtory, nor the limits of this work. It

[120] Sceyo l. 4. p. 395. [121] Du Cange Gloſſ. tom. 2. p. 662.
[122] Du Cange Gloſſ. voc. *torneamentum*. Memoires ſur Chevalerie, tom. 1. p. 27. 88. 100. 152. 211. 263. tom. 2. p. 23. 75, &c.

is

is ſufficient to take notice, that they began to be more famous and better regulated in France and Normandy, a little before the conqueſt, than they had been in former times. Geoffrey de Pruilli, who was killed A. D. 1065, contributed ſo much to this, that he is repreſented by ſeveral authors as the inventor of tournaments[123]. That theſe military ſports were introduced into Britain by the Normans, is highly probable. But they do not ſeem to have prevailed very much in England for a conſiderable time after the conqueſt, having been diſcouraged, on account of the great danger and ruinous expence with which they were attended. "After this truce (ſays "William of Newborough) between the kings "of France and England, A. D. 1194, the mi- "litary ſports and exerciſes, which are com- "monly called tournaments, began to be cele- "brated in England by the permiſſion of king "Richard, who impoſed a certain tax on all who "engaged in theſe diverſions. But this royal "exaction did not in the leaſt abate the ardour "with which the youth of England crowded to "theſe exerciſes. Such conflicts in which the "combatants engaged without any animoſity, "merely to diſplay their dexterity and ſtrength, "had not been frequent in England, except in "the reign of king Stephen, when the reins of "government were much relaxed. For in the "times of former kings, and alſo of Henry II.

[123] Chron. Touronen. A. D. 1066.

"who

" who ſucceeded Stephen, tournaments were " prohibited; and thoſe who deſired to acquire " glory in ſuch conflicts, were obliged to go " into foreign countries. King Richard, there- " fore, obſerving that the French were more " expert and dexterous in the uſe of their arms " in battle, becauſe they frequented tournaments, " permitted his own knights to celebrate ſuch " martial ſports, within his own territories, that " they might no longer be inſulted by the " French [124]." The reader will find a tranſlation of this edict of king Richard in the Appendix, N° 4.

Deſcription of tournaments.

The moſt ſplendid tournaments were celebrated by ſovereign princes of a martial character, at their coronations, marriages, victories, or on other great occaſions. When a prince had reſolved to hold a tournament, he ſent heralds to the neighbouring courts and countries to publiſh his deſign, and to invite all brave and loyal knights to honour the intended ſolemnity with their preſence. This invitation was accepted with the greateſt joy; and at the time and place appointed, prodigious numbers of perſons of high rank, and of both ſexes, commonly aſſembled. Judges were choſen from among the moſt noble and honourable knights, who were inveſted with authority to regulate all preliminaries and determine all diſputes. Some days before the beginning of the tournament, all the

[124] W Neubrigen. l. 5. c. 4.

knights

knights who propoſed to enter the liſts, hung up their ſhields in the cloiſter of a neighbouring monaſtery, where they were viewed by the ladies and knights. If a lady touched one of the ſhields, it was conſidered as an accuſation of its owner, who was immediately brought before the judges of the tournament, tried with great ſolemnity, and if found guilty of having defamed a lady, or of having done any thing unbecoming the character of a true and courteous knight, he was degraded, and expelled the aſſembly with every mark of infamy. The liſts were effectually ſecured from the intruſion of the ſpectators, and ſurrounded with lofty towers and ſcaffolds of wood in which the princes and princeſſes, ladies, lords, and knights, with the judges, marſhals, heralds, and minſtrels, were ſeated in their proper places, in their richeſt dreſſes. The combatants, nobly mounted, and completely armed, were conducted into the liſts by their reſpective miſtreſſes, in whoſe honour they were to fight, with bands of marſhal muſic, amidſt the acclamations of the numerous ſpectators. It would be tedious to deſcribe all the different kinds of combats that were performed at a royal tournament, which continued ſeveral days. It is ſufficient to take notice, that repreſentations were exhibited of all the different parts of actual war, from a ſingle combat to a general action, with all the different kinds of arms, as ſpears, ſwords, battle-axes, and daggers. At the concluſion of every day's tournament, the judges

declared the victors, and distributed the prizes, which were presented to the happy knights by the greatest and most beautiful ladies in the assembly. The victors were then conducted in triumph to the palace; their armour was taken off by the ladies of the court; they were dressed in the richest robes, seated at the table of their sovereign, and treated with every possible mark of distinction. Besides all this, their exploits were inserted in a register, and celebrated by the poets and minstrels who attended these solemnities. In a word, the victors became the greatest favourites of the fair, and the objects of universal admiration. It is easy to imagine with what ardour young and martial nobles aspired to these honours, so flattering to the strongest passions of the bravest hearts. The most magnificent tournament celebrated in this period, was that proclaimed by the king of England, Henry II. A. D. 1174, in the plains of Beaucaire, at which no fewer than ten thousand knights, besides ladies and other spectators, are said to have been present [125].

Quintain, &c.

No person under the rank of an esquire was permitted to enter the lists at tournaments; which gave occasion to similar sports among

[125] For the proofs of this description, and for a fuller account of the martial sports of the middle ages, the reader may consult—Memoires sur l'Ancienne Chevalerie, par M. de Sainte Palaye.—Mœurs de François, par M. le Gendre.—Du Cange Gloss. voc. *Tournamentum*.—Le. P. Menestrier Traités sur la Chevalerie. Honoré de St. Marie Dissert. sur la Chevalerie.

burgesses

burgeſſes and yeomen. Of this kind was the game called *the quintain*, which is thus deſcribed: A ſtrong poſt was fixed in the ground, with a piece of wood, which turned on a ſpindle on the top of it. At one end of this piece of wood a bag of ſand was ſuſpended, and at the other end a board was nailed. Againſt this board they tilted with ſpears, which made the piece of wood turn quickly on the ſpindle, and the bag of ſand ſtrike the riders on the back with great force, if they did not make their eſcape by the ſwiftneſs of their horſes[126]. Of this kind alſo was the ſport on the Thames, which is thus deſcribed by Fitz-Stephen: "A ſhield is nailed to a pole fixed in "the midſt of the river. A boat is driven with "violence by many oars and the ſtream of the "river. On the prow of the boat ſtands a "young man, who, in paſſing, tilts againſt the "ſhield with a ſpear. If the ſpear breaks and "he keeps his ſtation, he gains the prize; but "if the ſpear doth not break he is thrown into "the river. To prevent his being drowned, a "boat is moored on each ſide of the ſhield, "filled with young men, who reſcue him as "ſoon as poſſible. The bridge, wharfs, and "houſes, are crowded with ſpectators ready to "break out into loud burſts of laughter[127]." The youth in towns and villages diverted themſelves on holidays with running, leaping, wreſt-

[126] Stow's Survey of London, vol. 1. p. 249. Kennet's Parochial Antiquities p. 19.

[127] W. Stephaned Deſcript. Lond. p. 8.

ling, throwing ſtones and darts, and ſhooting with bows and arrows, which were uſeful amuſements, and fitted them for acting their parts in time of war. In great cities, particularly in London, wild boars and bulls were baited by dogs for the entertainment of the populace [128]. Cock-fighting and horſe-racing were not unknown in this period; but they ſeem to have been conſidered as childiſh rather than manly amuſements [129]. In froſt the youth diverted themſelves in various ways upon the ice, particularly by ſkating with the ſhank-bones of ſheep tied under their ſhoes, and at the ſame time tilting againſt each other with pointleſs ſpears [130].

Hunting and hawking.

It is hardly poſſible for the keeneſt ſportſman of the preſent age to form any idea of the exceſſive fondneſs of the Anglo-Norman kings and nobles, for the rural diverſions of hunting and hawking. In theſe they ſpent the greateſt part of their time and of their revenues; and to their fondneſs for them they too often ſacrificed their intereſt, their honour, and their humanity. "In our times (ſays John of Saliſbury) hunting "and hawking are eſteemed the moſt honourable "employments, and moſt excellent virtues, by "our nobility: to ſpend their whole time in "theſe diverſions, they think is the ſupreme "felicity of life.——They prepare for theſe "ſports with more anxiety, expence, and buſtle,

[128] W. Stephaned. Deſcript. Lond. p. 8. [129] Id. ibid.
[130] Id. ibid.

"than

" than they do for war; and purſue wild beaſts " with greater fury than they do the enemies of " their country.——By their conſtant purſuit of " this way of life, they loſe the beſt part of their " humanity, and become almoſt as great monſters " and ſavages, as the animals which they hunt. " ——Huſbandmen with their harmleſs herds " and flocks are driven from their well-cultivated " fields, their meadows, and their paſtures, that " wild beaſts may range in them at large.——If " one of theſe great and mercileſs hunters paſs " by your habitation, bring out quickly all the " refreſhments you have in your houſe, or you " can buy or borrow from your neighbours, that " you may not be involved in ruin, or even " accuſed of treaſon[131]." It would be eaſy to produce many other proofs of the fondneſs or rather rage, of the Anglo-Norman kings and nobles of this period for the ſports of the field; but this ſeems to be as unneceſſary as it is to deſcribe theſe diverſions, which are ſo well underſtood. So general was this rage for theſe rural ſports, that both the clergy and the ladies were ſeiſed with it, and many of them ſpent much of their time in hunting and hawking. Walter biſhop of Rocheſter, as we learn from a letter of Peter of Blois, was ſo fond of hunting, that when he was eighty years of age, it was the only employment of his life, to the total neglect

[131] J. Sariſburienſ. de Nugis Curialium, l. 1. c. 4.

of the duties of his office [132]. The Engliſh ladies of this period applied ſo much to hawking, that they excelled the gentlemen in that art; which John of Saliſbury, very unpolitely, produces as a proof, that hawking was a trifling and frivolous amuſement [133].

Theatrical entertainments.

Though theatrical entertainments in Britain were ſo imperfect in this period, that they might, without much impropriety, have been omitted in this place; yet there is ſufficient evidence that they were not unknown, or even uncommon. They were of two kinds, eccleſiaſtical and ſecular.

Eccleſiaſtical plays called miracles.

The eccleſiaſtical plays of this period were compoſed by the clergy, and acted by them and their ſcholars; and conſiſted of repreſentations of events or actions recorded in the Scriptures, or in the lives of the ſaints. When Geoffrey, the ſixteenth abbot of St. Albans, was a young man and preſided in the ſchool of Dunſtable, about A. D. 1110, "he compoſed (ſays Matthew "Paris) a certain Play of St. Katherine, of that "kind which we commonly call miracles, and "borrowed from the ſacriſt of St. Albans ſome "of the ſacred veſtments of that abbey, to "adorn the perſons who acted his play [134]." Peter of Blois congratulates his brother William, who was an abbot, on the fame he had acquired

[132] P. Bleſenſ. Ep. 56. p. 81.
[133] J. Sariſburienſ. l. 1. c. 4. p. 13, 14.
[134] M. Paris, Vit. Abbat. p. 55. col. 2.

by

by his tragedy of Flaura and Marcus, and by his other theological works [135]. "London (ſays "Fitz Stephen), for theatrical ſpectacles, hath "religious plays, which are repreſentations of "the miracles which holy confeſſors had wrought, "and of the ſufferings by which martyrs had "diſplayed their conſtancy [136]."

Secular plays.

The ſecular plays of this period ſeem to have been of a very different nature and tendency from the eccleſiaſtical. The clergy were prohibited from frequenting them, by the ſixteenth canon of the fourth general council of Lateran, A. D. 1215 [137]. They ſeem indeed to have been very improper entertainments for the clergy. For, according to the deſcriptions given of them by contemporary writers, they appear to have conſiſted of comic tales or ſtories, intermixed with coarſe jeſts, and accompained, in the acting, with iuſtrumental muſic, ſinging, dancing, geſticulations, mimicry, and other arts of raiſing laughter, without much regard to decency [138]. They were acted by companies of ſtrollers, compoſed of minſtrels, mimics, ſingers, dancers, wreſtlers, and others, qualified for performing the ſeveral parts of the entertainment [139]. Such companies conſtantly followed the courts of the kings of England, and from time to time viſited

[135] P. Bleſenſ. Ep. 93. p. 145.
[136] W. Stephaned. Deſcript. Lond. p. 7.
[137] Du Pin, Eccleſ. Hiſt. cent. 13. c. 4. p. 98.
[138] J. Sariſburienſ. l. 1. c. 8. p. 32, 33, 34.
[139] Id. ibid. p. 34.

the caſtles of earls and great barons, where they were well entertained and generouſly rewarded [140]. The reader will perceive, from the quotation below, how little regard theſe ancient players paid to decency in their exhibitions, and how indelicate our anceſtors were in their diverſions [141]. I chuſe rather to give this quotation in the original language than in a tranſlation, for very obvious reaſons.

Domeſtic diverſions.

A minute deſcription of all the domeſtic diverſions of the kings, nobles, and people of Britain, in this period, is not neceſſary, and would ſwell this article beyond its due proportion. The following very brief account of the two moſt admired and faſhionable domeſtic games, thoſe of cheſs and dice, will, it is hoped, be thought ſufficient.

Cheſs and dice.

The game of cheſs, and ſeveral games at dice, were much ſtudied and practiſed by perſons of rank and fortune in this period. Some knowledge of theſe games was ſo neceſſary to every gentleman, eſpecially if he aſpired to the honour of knighthood, that they were commonly made a

[140] J. Sariſburienſ. l. 1. c. 8. p. 34. P. Bleſenſ. Ep. 14. p. 24. col. 2.

[141] Hinc mimi, ſalii vel ſaliares, balatrones, æmiliani, gladiatores, palæſtritæ, gignadii, preſtigiatores, malefici quoque multi, et tota joculatorum ſcæna procedit. Quorum adeo error invaluit, ut a præclaris domibus non arceantur, etiam illi qui obſcænis partibus corporis, oculis omnium eam ingerunt turpitudinem, quam erubeſcat videre vel Cynicus. Quodque magis mirere, nec tunc ejiciuntur, quando tumultuantes inferius crebo ſonitu aerem fœdant, & turpitur incluſum, turpius produnt. *J. Sariſburienſ. de nugis Curialium*, l. 1. c. 8. p. 34.

part

part of his education [142]. Peter of Blois, in one of his letters to a freind, who had a very profligate young man under his care, aſcribes the profligacy of the youth to the education he had received from his father, who being a great gameſter, had taught his ſon to play at dice when he was but a child: "For I do not wonder (ſays he), that he is a vicious young man, "who in his childhood was taught to play at "dice, which is the mother of perjury, theft, "and ſacrilege [143]." "In our times (ſays "another writer of this period) expertneſs in "the art of hunting, dexterity in the damnable "art of dice-playing, a mincing effeminate way "of ſpeaking, and great ſkill in dancing and "muſic, are the moſt admired accompliſhments "of our nobility. In theſe arts, our young "nobles imitate the examples, and improve by "the inſtructions, of their fathers [144]." Matthew Paris blames the Engliſh barons who had revolted from king John, for ſpending their time in London, in eating, drinking, and playing at dice, when they ſhould have been in the field [145]. Nor was this fondneſs for dice confined to the nobility; for we meet with ſome clergymen, and even biſhops, who are ſaid to have ſpent much of their time in theſe games [146]. It appears alſo that the gameſters of this period were

[142] Memoires ſur la Chevalerie, par M. de St. Palaye, tom. 1. p. 136.
[143] P. Bleſenſ. Ep. 74. p. 111.
[144] J. Sariſburienſ. l. 1. c. 5. p. 25.
[145] M. Paris, p. 187. col. 1.
[146] Orderic. Vital. p. 550.

acquainted

acquainted with many different games at dice, of which a writer of thoſe times gives us the Latin names of no fewer than ten [147]. But I confeſs my incapacity to deſcribe the games intended by theſe names.

Laws againſt gaming.

This too violent paſſion for games of chance was then (as it has always been) attended with various inconveniencies, both to the gameſters themſelves and to ſociety. To the gameſters, —by diſſipating their fortunes, — by conſuming their moſt precious hours, — and by making them neglect their moſt important duties. To ſociety, —by depriving it of the advantages it might have derived from a better application of the time and talents of many of its members. To prevent theſe inconveniencies, by laying this dangerous paſſion under ſome reſtraints, ſeveral canons and laws were made. A tranſlation of one of theſe laws will form no improper concluſion to this article. This remarkable law was one of thoſe promulgated by the united authority of Richard I. king of England, and Philip-Auguſtus king of France, with the advice and conſent of their archbiſhops, biſhops, earls, and barons, for the government of their forces, in their expedition to the Holy Land, A. D. 1190. It is the ſecond in that ſyſtem of laws, and is to this purpoſe: "Beſides, none in the whole army "ſhall play at any kind of game for money, "except knights and clerks; who ſhall not loſe

[147] J. Sariſburienſ. l. 1. c. 5. p. 23.

"above

" above twenty ſhillings (equal in efficacy to " about fifteen pounds of our money at preſent) " in one day and one night. But if any knight " or clerk ſhall loſe more than twenty ſhillings " in one day, he ſhall pay one hundred ſhillings " (equivalent to about ſeventy-five pounds of " our money) for every ſuch offence, into the " hands of the above-named commiſſioners, who " ſhall have the cuſtody of that money [148]. But " the two kings ſhall be under no reſtrictions, " but may play for as much money as they " pleaſe. The ſervants who attend upon the " two kings at their head-quarters may play to " the extent of twenty ſhillings. But if any " other ſoldiers, ſervants, or ſailors, ſhall be " found playing for money among themſelves, " they ſhall be puniſhed in the following man- " ner, unleſs they can purchaſe a pardon from " the commiſſioners, by paying what they ſhall " think proper to demand. Soldiers and ſer- " vants ſhall be ſtripped naked, and whipt " through the army three days. Sailors ſhall be " as often plunged from their ſhips into the ſea, " according to the cuſtom of mariners [149]."

[148] Theſe commiſſioners are named in the preceding law.

[149] J Brompt. Chron. p. 1182. Benedict. Abbas, tom. 2. p. 610.

APPENDIX

TO THE

THIRD BOOK.

NUMBER I.

Magna Carta Regis Johannis, xv die Junii MCCXV, Anno Regni xvii.

JOHANNES Dei gratia rex Anglie dominus Hybernie dux Normannie Acquitanie et comes Andegavie archiepiſcopis epiſcopis abbatibus comitibus baronibus juſticiariis foreſtariis vicecomitibus prepoſitis miniſtris et omnibus ballivis et fidelibus ſuis ſalutem Sciatis nos intuitu Dei et pro ſalute anime noſtre et omnium anteceſſorum et heredum noſtrorum ad honorem Dei et exaltationem ſancte eccleſie et emendationem regni noſtri per conſilium venerabilium patrum noſtrorum Stephani Cant' archiepiſcopi totius Anglie primatis et ſancte Romane eccleſie cardinalis Henrici Dublin' archiepiſcopi Willielmi London' Petri Winton' Joſcelini Bathon' et Glaſton' Hugonis Lincoln' Walreri Wygorn' Willielmi Coventr' et Benedicti Roff' epiſcoporum magiſtri Pandulfi domini pape ſubdiaconi et familiaris fratris Eymerici magiſtri militie templi in Anglia et nobilium virorum Willielmi Mariſcalli comitis Penbrok Willielmi comitis Sar' Willielmi comitis Warenn' Willielmi comitis Arundell' Alani de Galweya conſta-

No. I.

No. I. conſtabularii Scottie Warini filii Geroldi Petri filii Hereberti Huberti de Burgo ſeneſcalli Pictavie Hugonis de Nevill' Mathei filii Hereberti Thome Baſſet Alani Baſſet Philippi de Albin' Roberti de Roppel' Johannis Mariſcalli Johannis filii Hugonis et aliorum fidelium noſtrorum

1 In primis conceſſiſſe Deo et hac preſenti carta noſtra confirmaſſe pro nobis et heredibus noſtris in perpetuum quod Anglicane eccleſia libera ſit et habeat jura ſua integra et libertates ſuas illeſas et ita volumus obſervari quod apparet ex eo quod libertatem electionum que maxima et magis neceſſaria reputatur eccleſie Anglicane mera et ſpontanea voluntate ante diſcordiam inter nos et barones noſtros motam conceſſimus et carta noſtra confirmavimus et eam optinuimus a domino papa Innocentio tertio confirmari quam et nos obſervabimus et ab heredibus noſtris in perpetuum bona fide volumus obſarvari Conceſſimus etiam omnibus liberis hominibus regni noſtri pro nobis et heredibus noſtris in perpetuum omnes libertates ſubſcriptas habendas et tenendas eis et heredibus ſuis de nobis et here-

2 dibus noſtris Si quis comitum vel baronum noſtrorum ſive aliorum tenentium de nobis in capite per ſervitium militare mortuus fuerit et cum deceſſerit heres ſuus plene etatis fuerit et relevium debeat habeat hereditatem ſuam per antiquum relevium ſcilicet heres vel heredes comitis de baronia comitis integra per centum libras heres vel heredes barotis de baronia integra per centum libras heres vel heredes militis de feodo militis integro per centum ſolidos ad plus et qui minus debuerit minus det ſecundum antiquam

3 conſuetudinem feodorum Si autem heres alicujus talium fuerit infra etatem et fuerit in cuſtodia cum ad etatem pervenerit habeat hereditatem ſuam ſine relevio et ſine

4 fine Cuſtos terre hujuſmodi heredis qui infra etatem fuerit non capiat de terra heredis niſi rationables exitus et rationabiles conſuetudines et rationabilia ſervitia et hoc ſine deſtructione et vaſto hominum vel rerum et ſi nos commiſerimus cuſtodiam alicujus talis terre vicecomiti vel

alicui

alicui alii qui de exitibus illius nobis reſpondere debeat et No. I.
ille deſtructionem de cuſtodia fecerit vel vaſtum nos ab
illo capiemus emendam et terra committatur duobus lega-
libus et diſcretis hominibus de feodo illo qui de exitibus
reſpondeant nobis vel ei cui eos aſſignaverimus et ſi dede-
rimus vel vendiderimus alicui cuſtodiam alicujus talis terre
et ille deſtructionem inde fecerit vel vaſtum amittat ipſam
cuſtodiam et tradatur duobus legalibus et diſcretis homi-
nibus de feodo illo qui ſimiliter nobis reſpondeant ſicut pre-
dictum eſt Cuſtos autem quamdiu cuſtodiam terre ha- 5
buerit ſuſtentet domos parcos vivaria ſtagna molendina et
cetera ad terram illam pertinentia de exitibus terre ejuſ-
dem et reddat heredi cum ad plenam etatem pervenerit
terram ſuam totam inſtauratam de carrucis et wainnagiis
ſecundum quod tempus wainnagii exigit et exitus terre
rationabiliter poterunt ſuſtinere Heredes maritentur 6
abſque diſparagatione ita tamen quod antequam contra-
hatur matrimonium oſtendatur propinquis de conſanguini-
tate ipſius heredis Vidua poſt mortem mariti ſui ſtatim 7
et ſine difficultate habeat maritagium et hereditatem ſuam
nec aliquid det pro dote ſua vel pro maritagio ſuo vel
hereditate ſua quam hereditatem maritus ſuus et ipſa tenue-
rint die obitus ipſius mariti et maneat in domo mariti ſui
per quadraginta dies poſt mortem ipſius infra quos aſſig-
netur ei dos ſua Nulla vidua diſtringatur ad ſe maritan- 8
dum dum voluerit vivere ſine marito ita tamen quod ſecu-
ritatem faciat quod ſe non maritabit ſine aſſenſu noſtro ſi de
nobis tenuerit vel ſine aſſenſu domini ſui de quo tenuerit ſi
de alio tenuerit. Nec nos nec ballivi noſtri ſeiſiemus ter- 9
ram aliquam nec redditum pro debito aliquo quamdiu
catalla debitoris ſufficiunt ad debitum reddendum nec
pleggii ipſius debitoris diſtringantur quamdiu ipſe capitalis
debitor ſufficit ad ſolutionem debiti et ſi capitalis debitor
defecerit in ſolutione debiti non habens unde ſolvat pleggii
reſpondeant de debito et ſi voluerint habeant terras et red-
ditus debitoris donec ſit eis ſatisfactum de debito quod ante

No. I.

pro eo ſolverint niſi capitalis debitor monſtraverit ſe eſſe
quietum inde verſus eoſdem pleggios Si quis mutuo
10 ceperit aliquid a Judeis plus vel minus et moriatur ante-
quam debitum illud ſolvatur debitum non uſuret quamdiu
heres fuerit infra etatem de quocumque teneat et ſi debi-
tum illud inciderit in manus noſtras nos non capiemus
11 niſi catallum contentum in carta Et ſi quis moriatur et
debitum debeat Judeis uxor ejus habeat dotem ſuam et
nichil reddat de debito illo et ſi liberi ipſius defuncti qui
fuerint infra etatem remanſerint provideantur eis neceſſaria
ſecundum tenementum quod fuerit defuncti et de reſiduo
ſolvatur debitum ſalvo ſervitio dominorum ſimili modo fiat
12 de debitis que debentur aliis quam Judeis Nullum ſcuta-
gium vel auxilium ponatur in regno noſtro niſi per com-
mune conſilium regni noſtri niſi ad corpus noſtrum redi-
mendum et primogenitum filium noſtrum militem facien-
dum et ad filiam noſtram primogenitam ſemel maritandum
et ad hec non fiat niſi rationabile auxilium ſimili modo fiat
13 de auxiliis de civitate London' .Et civitas London' habeat
omnes antiquas libertates et liberas conſuetudines ſuas
tam per terras quam per aquas Preterea volumus et con-
cedimus quod omnes alie civitates et burgi et ville et
portus habeant omnes libertates et liberas conſuetudines
14 ſuas Et ad habendum commune conſilium regni de
auxilio aſſidendo aliter quam in tribus caſibus predictis vel
de ſcutagio aſſidendo ſummoneri faciemus archiepiſcopos
epiſcopos abbates comites et majores barones ſigillatim per
litteras noſtras et preterea faciemus ſummoneri in generali
per vicecomites et ballivos noſtros omnes illos qui de
nobis tenent in capite ad certum diem ſcilicet ad terminum
quadraginta dierum ad minus et ad certum locum et in
omnibus litteris illius ſummonitionis cauſam ſummonitio-
nis exprimemus et ſic facta ſummonitione negotium ad
diem aſſignatum procedat ſecundum conſilium illorum
qui preſentes fuerint quamvis non omnes ſummoniti vene-
15 rint Nos non concedemus de cetero alicui quod capiat

auxilium de liberis hominibus ſuis niſi ad corpus ſuum redi- No. I.
mendum et ad faciendum primogenitum filium ſuum mili-
tem et ad primogenitam filiam ſuam ſemel maritandam et
ad hec non fiat niſi rationabile auxilium Nullus diſtrin- 16
gatur ad faciendum majus ſervitium de feodo militis nec
de alio libero tenemento quam inde debetur Communia 17
placita non ſequantur curiam noſtram ſet teneantur in
aliquo loco certo Recognitiones de nova diſſaiſina de 18
morte anteceſſoris et de ultima preſentatione non capiantur
niſi in ſuis comitatibus et hoc modo Nos vel ſi extra
regnum fuerimus capitalis juſticiarius noſter mittemus
duos juſticiarios per unumquemque comitatum per qua-
tuor vices in anno qui cum quatuor militibus cujuſlibet
comitatus electis per comitatum capiant in comitatu et in
die et loco comitatus aſſiſas predictas Et ſi in die comi- 19
tatus aſſiſe predicte capi non poſſint tot milites et libere
tenentes remaneant de illis qui interfuerint comitatui die
illo per quos poſſint judicia ſufficienter fieri ſecundum
quod negotium fuerit majus vel minus Liber homo non 20
amercietur pro parvo delicto niſi ſecundum modum delicti
et pro magno delicto amercietur ſecundum magnitudinem
delicti ſalvo contenemento ſuo et mercator eodem modo
ſalva merchandiſa ſua et villanus eodem modo amercietur
ſalva wainnagio ſuo ſi inciderint miſericordiam noſtram
et nulla predictarum miſericordiarum ponatur niſi per
ſacramentum proborum hominum de viſneto Comites et 21
barones non amercientur niſi per pares ſuos et non niſi
ſecundum modum delicti Nullus clericus amercietur de 22
laico tenemento ſuo niſi ſecundum modum aliorum pre-
dictorum et non ſecundum quantitatem beneficii ſui eccle-
ſiaſtici. Nec villa nec homo diſtringatur facere pontes ad 23
riparias niſi qui ab antiquo et de jure facere debent
Nullus vicecomes conſtabularius coronatores vel alii ballivi 24
noſtri teneant placita corone noſtre Omnes comitatus 25
hundredi wapentak' et trething' ſint ad antiquas firmas
abſque ullo incremento exceptis dominicis maneriis

No. I. noſtris Si aliquis tenens de nobis laicum feodum moriatur et vicecomes vel ballivus noſter oſtendat litteras noſtras
26 patentes de ſummonitione noſtra de debito quod defunctus nobis debuit liceat vicecomiti vel ballivo noſtro attachiare et inbreviare catalla defuncti inventa in laico feodo ad valentiam illius debiti per viſum legalium hominum ita tamen quod nichil inde amoveatur donec perſolvatur nobis debitum quod clarum fuerit et reſiduum relinquatur executoribus ad faciendum teſtamentum defuncti et ſi nichil nobis debeatur ab ipſo omnia catalla cedant defuncto ſalvis
27 uxori ipſius et pueris rationabilibus partibus ſuis Si aliquis liber homo inteſtatus deceſſerit catalla ſua per manus propinquorum parentum et amicorum ſuorum per viſum eccleſie diſtribuantur ſalvis unicuique debitis que
28 defunctus ei debebat Nullus conſtabularius vel alius ballivus noſter capiat blada vel alia catalla alicujus niſi ſtatim inde reddat denarios aut reſpectum inde habere poſſit de
29 voluntate venditoris Nullus conſtabularius diſtringat aliquem militem ad dandum denarios pro cuſtodia caſtri ſi facere voluerit cuſtodiam illam in propria perſona ſua vel per alium probum hominem ſi ipſe eam facere non poſſit propter rationabilem cauſam et ſi nos duxerimus vel miſerimus eum in exercitum erit quietus de cuſtodia ſecundum quantitatem temporis quo per nos fuerit in exercitu
30 Nullus vicecomes vel ballivus noſter vel aliquis alius capiat equos vel carretas alicujus liberi hominis pro cariagio
31 faciendo niſi de voluntate ipſius liberi hominis Nec nos nec ballivi noſtri capiemus alienum boſcum ad caſtra vel alia agenda noſtra niſi per voluntatem ipſius cujus boſcus
32 ille furit Nos non tenebimus terras illorum qui convicti fuerint de felonia niſi per unum annum et unum
33 diem et tunc reddantur terre dominis feodorum Omnes kydelli de cetero deponantur penitus de Thamiſia et de Medewaye et per totam Angliam niſi per coſteram
34 maris. Breve quod vocatur Precipe de cetero non fiat alicui de aliquo tenemento unde liber homo amittere poſſit

poſſit curiam ſuam. Una menſura vini ſit per totum reg- No. I.
num noſtrum et una menſura cerviſie et una menſura bladi
ſcilicet quarterium London' et una latitudo panorum tinc- 35
torum et ruſſettorum et halbergettorum ſcilicet due ulne
infra liſtas de ponderibus autem ſit ut de menſuris Nichil 36
detur vel capiatur de cetero pro brevi inquiſitionis de vita
vel membris ſet gratis concedatur et non negetur Si 37
aliquis teneat de nobis per feodifirmam vel per ſokagium
vel per burgagium et de alio terram teneat per ſervitium
militare nos non habebimus cuſtodiam heredis nec terre
ſue que eſt de feodo alterius occaſione illius feodifirme vel
ſokagii vel burgagii nec habebimus cuſtodiam illius feodi-
firme vel ſokagii vel burgagii niſi ipſa feodifirma debeat
ſervitium militare Nos non habebimus cuſtodiam heredis
vel terre alicujus quam tenent de alio per ſervitium militare
occaſione alicujus parve ſergenterie quam tenet de nobis
per ſervitium reddendi nobis cultellos vel ſagittas vel hu-
juſmodi Nullus ballivus ponat de cetero aliquem ad legem 38
ſimplici loquela ſua ſine teſtibus fidelibus ad hoc inductis
Nullus liber homo capiatur vel impriſonetur aut diſſaiſiatur 39
aut utlagetur aut aliquo modo deſtruatur nec ſuper eum
ibimus nec ſuper eum mittemus niſi per legale judicium
parium ſuorum vel per legem terre Nulli vendemus nulli 40
negabimus aut differemus rectum aut juſticiam Omnes 41
mercatores habeant ſalvum et ſecurum exire de Anglia et
venire in Angliam et morari et ire per Angliam tam per
terram quam per aquam ad emendum et vendendum ſine
omnibus malis toltis per antiquas et rectas conſuetudines
preterquam in tempore gwerre et ſi ſint de terra contra nos
gwerriva et ſi tales inveniantur in terra noſtra in principio
gwerre attachiantur ſine dampno corporum et rerum
donec ſciatur a nobis vel capitali juſticiario noſtro quo-
modo mercatores terre noſtre tractentur qui tunc inve-
nientur in terra contra nos gwerriva et ſi noſtri ſalvi ſint
ibi alii ſalvi ſint in terra noſtra Liceat unicuique de cetero 42
exire de regno noſtro et redire ſalvo et ſecure per terram

No. 1. et per aquam ſalva fide noſtra niſi tempore gwerre per aliquod breve tempus propter communem utilitatem regni exceptis impriſonatis et utlagatis ſecundum legem regni et gente de terra contra nos gwerriva et mercatoribus de
43 quibus fiat ſicut predictum eſt Si quis tenuerit de aliqua eſcaeta ſicut de honore Walingeford Notingeham Bon' Lainkaſtr' vel de aliis eſkaetis que ſunt in manu noſtra et ſunt baronie et obierit heres ejus non det aliud relevium nec faciat nobis aliud ſervitium quam faceret baroni ſi baronia illa eſſet in manu baronis et nos eodem modo eam
44 tenebimus quo baro eam tenuit Homines qui manent extra foreſtam non veniant de cetero coram juſticiariis noſtris de foreſta per communes ſummonitiones niſi ſint in placito vel pleggii alicujus vel aliquorum qui attachiati
45 ſint pro foreſta Nos non faciemus juſticiarios conſtabularios vicecomites vel ballivos niſi de talibus qui ſciant
46 legem regni et eam bene velint obſervare Omnes barones qui fundaverunt abbatias unde habent cartas regum Anglie vel antiquam tenuram habeant earum cuſtodiam
47 cum vacaverint ſicut habere debent Omnes foreſte que afforeſtate ſunt tempore noſtro ſtatim deafforeſtentur et ita fiat de ripariis que per nos tempore noſtro poſite ſunt in
48 defenſo Omnes male conſuetudines de foreſtis et warennis et de foreſtariis et warrenariis vicecomitibus et eorum miniſtris ripariis et earum cuſtodibus ſtatim inquirantur in quolibet comitatu per duodecim milites juratos de eodem comitatu qui debent eligi per probos homines ejuſdem comitatus et infra quadraginta dies poſt inquiſitionem factam penitus ita quod numquam revocentur deleantur per eoſdem ita quod nos hoc ſciamus prius vel juſticiarius noſter ſi in
49 Anglia non fuerimus Omnes obſides et cartas ſtatim
50 reddemus que liberate fuerunt nobis ab Anglicis in ſecuritatem pacis vel fidelis ſervitii. Nos amovebimus penitus de balliis parentes Gerardi de Athyes quod de cetero nullam habeant balliam in Anglia Engelardum de Cygony Andream Petrum et Gyonem de Cancell' Gyonem de

Cygony Galfridum de Martyni et fratres ejus Philippum Mark et fratres ejus et Galfridum nepotem ejus et totam ſequelam eorundem Et ſtatim poſt pacis reformationem amovebimus de regno omnes alienigenas milites baliſtarios ſervientes ſtipendiaros qui venerint cum equis et armis ad nocumentum regni Si quis fuerit diſſeiſitus vel elongatus per nos ſine legali judicio parium ſuorum de terris caſtallis libertatibus vel jure ſuo ſtatim ea ei reſtituemus et ſi contentio ſuper hoc orta fuerit tunc inde fiat per judicium viginti quinque baronum de quibus ſit mentio inferius in ſecuritate pacis de omnibus autem illis de quibus aliquis diſſeiſitus fuerit vel elongatus ſine legali judicio parium ſuorum per Henricum regem patrem noſtrum vel per Ricardum regem fratrem noſtrum que in manu noſtra habemus vel que alii tenent que nos oporteat warantizare reſpectum habebimus uſque ad communem terminum crucеſignatorum exceptis illis de quibus placitum motum fuit vel inquiſitio facta per preceptum noſtrum ante ſuſceptionem crucis noſtre cum autem redierimus de peregrinatione noſtra vel ſi forte remanſerimus a peregrinatione noſtra ſtatim inde plenam juſticiam exhibebimus Eundem autem reſpectum habebimus et eodem modo de juſticia exhibenda de foreſtis deafforeſtandis vel remanſuris foreſtis quas Henricus pater noſter vel Ricardus frater noſter afforeſtaverunt et de cuſtodiis terrarum que ſunt de alieno feodo cujuſmodi cuſtodias hucuſque habuimus occaſione feodi quod aliquis de nobis tenuit per ſervitium militare et de abbatiis que fundate fuerint in feodo alterius quam noſtro in quibus dominus feodi dixerit ſe jus habere et cum redierimus vel ſi remanſerimus a peregrinatione noſtra ſuper hiis conquerentibus plenam juſticiam ſtatim exhibebimus Nullus capiatur nec impriſonetur propter appellum femine de morte alterius quam viri ſui Omnes fines qui injuſte et contra legem terre facti ſunt nobiſcum et omnia amerciamenta facta injuſte et contra legem terre omnino condonentur vel fiat inde per judicium viginti quinque baronum

No. I.
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No. I.

ronum de quibus fit mentio inferius in ſecuritate pacis vel per judicium majoris partis eorumdem una cum predicto Stephano Cant' archiepiſcopo ſi intereſſe poterit et aliis quos ſecum ad hoc vocare voluerit et ſi intereſſe non poterit nichilominus procedat negotium ſine eo ita quod ſi aliquis vel aliqui de predictis viginti quinque baronibus fuerint in ſimili querela amoveantur quantum ad hoc judicium et alii loco illorum per reſiduos de eiſdem viginti quinque tantum ad hoc faciendum electi et jurati ſubſti-
56 tuantur Si nos diſſaiſivimus vel elongavimus Walenſes de terris vel libertatibus vel rebus aliis ſine legali judicio parium ſuorum in Anglia vel in Wallia eis ſtatim reddantur et ſi contentio ſuper hoc orta fuerit tunc inde fiat in marchia per judicium parium ſuorum de tenementis Anglie ſecundum legem Anglie de tenementis Wallie ſecundum legem Wallie de tenementis marchie ſecundum legem marchie idem facient Walenſes nobis et noſtris
57 De omnibus autem illis de quibus aliquis Walenſium diſſaiſitus fuerit vel elongatus ſine legali judicio parium ſuorum per Henricum regem patrem noſtrum vel Ricardum regem fratrem noſtrum que nos in manu noſtra habemus vel que alii tenent que nos oporteat warantizare reſpectum habebimus uſque ad communem terminum cruceſignatorum illis exceptis de quibus placitum motum fuit vel inquiſitio facta per preceptum noſtrum ante ſuſceptionem crucis noſtre cum autem redierimus vel ſi forte remanſerimus a peregrinatione noſtra ſtatim eis inde plenam juſticiam exhibebimus ſecundum leges Walen-
58 ſium et partes predictas Nos reddemus filium Lewelini ſtatim et omnes obſides de Wallia et cartas que nobis
59 liberate fuerunt in ſecuritatem pacis Nos faciemus Allexandro regi Scottorum de ſororibus ſuis et obſidibus reddendis et libertatibus ſuis et jure ſuo ſecundum formam in qua faciemus aliis baronibus noſtris Anglie niſi aliter eſſe debeat per cartas quas habemus de Willielmo patre ipſius quondam rege Scottorum et hoc erit per judicium parium

ſuorum

ſuorum in curia noſtra Omnes autem iſtas conſuetudines predictas et libertates quas nos conceſſiſſimus in regno noſtro tenendas quantum ad nos pertinet erga noſtros omnes de regno noſtro tam clerici quam laici obſervent quantum ad ſe pertinent erga ſuos Cum autem pro Deo et ad emendationem regni noſtri et ad melius ſopiendum diſcordiam inter nos et barones noſtros ortam hec omnia predicta conceſſerimus volentes ea integra et firma ſtabilitate gaudere in perpetuum facimus et concedimus eis ſecuritatem ſubſcriptam videlicet quod barones eligant viginti quinque barones de regno quos voluerint qui debeant pro totis viribis ſuis obſervare tenere et facere obſervari pacem et libertates quas eis conceſſimus et hac preſenti carta noſtra confirmavimus ita ſcilicet quod ſi nos vel juſticiarius noſter vel ballivi noſtri vel aliquis de miniſtris noſtris in aliquo erga aliquem deliquerimus vel aliquem articulorum pacis aut ſecuritatis tranſgreſſi fuerimus et delictum oſtenſum fuerit quatuor baronibus de predictis viginti quinque baronibus illi quatuor barones accedant ad nos vel ad juſticiarium noſtrum ſi fuerimus extra regnum proponentes nobis exceſſum petent ut exceſſum illum ſine dilatione faciamus emendari et ſi nos exceſſum non emendaverimus vel ſi fuerimus extra regnum juſticiarius noſter non emendaverit infra tempus quadraginta dierum computandum a tempore quo monſtratum fuerit nobis vel juſticiario noſtro ſi extra regnum fuerimus predicti quatuor barones referant cauſam illam ad reſiduos de viginti quinque baronibus et illi viginti quinque barones cum communa totius terre diſtringent et gravabunt nos modis omnibus quibus poterunt ſcilicet per captionem caſtrorum terrarum poſſeſſionum et aliis modis quibus poterunt donec fuerit emendatum ſecundum arbitrium eorum ſalva perſona noſtra et regine noſtre et liberorum noſtrorum et cum fuerit emendatum intendent nobis ſicut prius fecerunt Et quicumque voluerit de terra juret quod ad predicta omnia exequenda parebit mandatis predictorum viginti quinque

No. I.

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No. I. baronum et quod gravabit nos pro poſſe ſuo cum ipſis et non publice et libere damus licentiam jurandi cuilibet qui jurare voluerit et nulli umquam jurare prohibebimus Omnes autem illos de terra qui per ſe et ſponte ſua noluerint jurare viginti quinque baronibus de diſtringendo et gravando nos cum eis faciemus jurare eoſdem de mandato noſtro ſicut predictum eſt Et ſi aliquis de viginti quinque baronibus deceſſerit vel a terra receſſerit vel aliquo alio modo impeditus fuerit quo minus iſta predicta poſſent exequi qui reſidui fuerint de predictis viginti quinque baronibus eligant alium loco ipſius pro arbitrio ſuo qui ſimili modo erit juratus quo et ceteri In omnibus autem que iſtis viginti quinque baronibus committuntur exequenda ſi forte ipſi viginti quinque preſentes fuerint et inter ſe ſuper re aliqua diſcordaverint vel aliqui ex eis ſummoniti nolint vel nequeant intereſſe ratum habeatur et firmum quod major pars eorum qui preſentes fuerint providerit vel preceperit ac ſi omnes viginti quinque in hoc conſenſiſſent et predicti viginti quinque jurent quod omnia antedicta fideliter obſervabunt et pro toto poſſe ſuo facient obſervari Et nos nichil impetrabimus ab aliquo per nos nec per alium per quod aliqua iſtarum conceſſionum et libertatum revocetur vel minuatur et ſi aliquid tale impetratum fuerit irritum ſit et inane et numquam eo utemur
62 per nos nec per alium Et omnes malas voluntates indignationes et rancores ortos inter nos et homines noſtros clericos et laicos et tempore diſcordie plene omnibus remiſimus et condonavimus Preterea omnes tranſgreſſiones factas occaſione ejuſdem diſcordie a paſcha anno regni noſtri ſextodecimo uſque ad pacem reformatam plene remiſimus omnibus clericis et laicis et quantum ad nos pertinet plene condonavimus Et inſuper fecimus eis fieri litteras teſtimoniales patentes domini Stephani Cant' archiepiſco. i domini Henrici Dublin' archiepiſcopi et epiſcoporum predictorum et magiſtri Pandulfi ſuper ſecuritate
63 iſta et conceſſionibus prefatis Quare volumus et firmiter precipimus

precipimus quod Anglicana eccleſia libera ſit et quod homines in regno noſtro habeant et teneant omnes prefatas libertates jura et conceſſiones bene et in pace libere et quiete plene et integre ſibi et heredibus ſuis de nobis et heredibus noſtris in omnibus rebus et locis in perpetuum ſicut predictum eſt Juratum eſt autem tam ex parte noſta quam ex parte baronum quod hec omnia ſupradicta bona fide et ſine malo ingenio obſervabuntur Teſtibus ſupradictis et multis aliis Data per manum noſtram in prato quod vocatur Runingmed' inter Windeleſorum et Stanes quinto decimo die Junii anno regni noſtri ſeptimo decimo. No. I.

NUMBER II.

Tranſlation of the Great Charter of King John, granted June 15th, A. D. 1215, in the ſeventeenth Year of his Reign.

JOHN, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and earl of Anjow, to all his archbiſhops, biſhops, abbots, earls, barons, juſticiaries, foreſters, ſheriffs, commanders, officers, and to all his bailiffs and faithful ſubjects, *wiſheth* health. Know ye, that we, from our regard to God, and for the ſalvation of our own ſoul, and of the ſouls of our anceſtors, and of our heirs, to the honour of God, and the exaltation of holy church and amendment of our kingdom, by the advice of our venerable fathers, Stephen archbiſhop of Canterbury, primate of all England, and cardinal of the holy Roman church, Henry archbiſhop of Dublin, William of London, Peter of Wincheſter, Joceline of Bath and Glaſtonbury, Hugh of Lincoln, Walter No. II.

of

No. II. of Worceſter, William of Coventry, Benedict of Rocheſter, biſhops, maſter Pandulph, the pope's ſubdeacon and familiar, brother Eymeric maſter of the knights-templars in England, and of theſe noble perſons, William Mariſchal earl of Pembroke, William earl of Saliſbury, William earl of Warren, William earl of Arundel, Allan of Galloway conſtable of Scotland, Warin Fitz-Gerald, Peter Fitz-Herbert, Hubert de Burgh ſteward of Poictou, Hugh de Nevil, Matthew Fitz-Herbert, Thomas Baſſet, Allan Baſſet, Philip de Albany, Robert de Roppel, John Mariſchal, John Fitz-Hugh, and of others of our liegemen, have granted to God, and by this our preſent charter, have confirmed, for us and our
1 heirs for ever:—Firſt, That the Engliſh church ſhall be free, and ſhall have her whole rights and her liberties unhurt; and I will this to be obſerved in ſuch a manner that it may appear from thence, that the freedom of elections, which was reputed moſt neceſſary to the Engliſh church, which we granted, and by our charter confirmed, and obtained the confirmation of it from pope Innocent III. before the rupture between us and our barons, was of our own free will. Which charter we ſhall obſerve; and we will it to be obſerved with good faith, by our heirs for ever.——We have alſo granted to all the freemen of our kingdom, for us and our heirs for ever, all the underwritten liberties, to be enjoyed and held by them and
2 their heirs, of us and our heirs.—— If any of our earls or barons, or others who hold of us in chief by military ſervice, ſhall die, and at his death his heir ſhall be of full age, and ſhall owe a relief, he ſhall have his inheritance for the ancient relief, viz. the heir or heirs of an earl, a whole earl's barony, for one hundred pounds; the heir or heirs of a baron, a whole barony for one hundred pounds[a]; the heir or heirs of a knight, a whole knight's

[a] This is *marks* in Matthew Paris, which is probably the right reading. M. Paris, p. 178. col. 1.

fee,

fee, for one hundred ſhillings at moſt; and he who owes leſs, ſhall give leſs, according to the ancient cuſtom of fees.——But if the heir of any ſuch be under age, and in wardſhip, when he comes to age he ſhall have his inheritance without relief and without fine.——The warden of an heir who is under age, ſhall not take of the lands of the heir any but reaſonable iſſues, and reaſonable cuſtoms, and reaſonable ſervices, and that without deſtruction and waſte of the men or goods: and if we commit the cuſtody of any ſuch lands to a ſheriff, or to any other perſon who is bound to anſwer to us for the iſſues of them, and he ſhall make deſtruction or waſte upon the ward-lands, we will recover damages from him, and the lands ſhall be committed to two legal and diſcreet men of that fee, who ſhall anſwer for the iſſues to us, or to him to whom we have aſſigned them: and if we granted or ſold to any one the cuſtody of any ſuch lands, and he ſhall make deſtruction or waſte, he ſhall loſe the cuſtody; and it ſhall be committed to two legal and diſcreet men of that fee, who ſhall anſwer to us in like manner as was ſaid before.—— 3 4

Beſides, the warden, as long as he hath the cuſtody of the lands, ſhall keep in order the houſes, parks, warrens, ponds, mills, and other things belonging to them, out of their iſſues; and ſhall deliver to the heir, when he is at age, his whole eſtate provided with ploughs and other implements of huſbandry, according to what the ſeaſon requires, and the profits of the lands can reaſonably afford.——Heirs ſhall be married without diſparagement, and ſo that before the marriage is contracted, it ſhall be notified to the relations of the heir by conſanguinity.—— 5 6

A widow, after the death of her huſband, ſhall immediately, and without difficulty, have her marriage goods and her inheritance; nor ſhall ſhe give any thing for her dower, or her marriage goods, or her inheritance, which her huſband and ſhe held on the day of his death. And 7

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No. II.

ſhe may remain in her huſband's houſe forty days after his death, within which time her dower ſhall be aſſigned.

8 No widow ſhall be compelled to marry herſelf while ſhe chuſes to live without a huſband, but ſo, that ſhe ſhall give ſecurity that ſhe will not marry herſelf, without our conſent, if ſhe holds of us, or without the conſent of the lord of whom ſhe holds, if ſhe holds of another.——

9 Neither we nor our bailiffs ſhall ſeize any land or rents for any debt, while the chattels of the debtor are ſufficient for the payment of the debt; nor ſhall the ſureties of the debtor be diſtrained, while the principal debtor is able to pay the debt: and if the principal debtor fail in payment of the debt, not having wherewith to pay, the ſureties ſhall anſwer for the debt; and if they pleaſe, they ſhall have the lands and rents of the debtor, until ſatisfaction be made to them for the debt which they had before paid for him, unleſs the principal debtor can ſhew that he is diſ-

10 charged from it by the ſaid ſureties.——If any one hath borrowed any thing from the Jews, more or leſs, and dies before that debt is paid, the debt ſhall pay no intereſt as long as the heir ſhall be under age, of whomſoever he holds; and if that debt ſhall fall into our hands, we will not take any thing, except the chattels contained in the

11 bond.——And if any one dies indebted to the Jews, his

9 wife ſhall have her dower, and ſhall pay nothing of that debt; and if children of the defunct remain who are under age, neceſſaries ſhall be provided for them, according to the tenement which belonged to the defunct; and out of the ſurplus the debt ſhall be paid, ſaving the rights of the lords *of whom the lands are held.* The ſame rules ſhall be obſerved with reſpect to debts owing to others

12 than Jews.——No ſcutage or aid ſhall be impoſed, except by the common council of our kingdom, but for redeeming our body,—for making our eldeſt ſon a knight, and for once marrying our eldeſt daughter; and for theſe only a reaſonable aid ſhall be demanded. This extends to the

aids

aids of the city of London.——And the city of London No. II.
ſhall have all its ancient liberties, and its free cuſtoms, as
well by land as by water. Beſides, we will and grant, 13
that all other cities and burghs, and towns and ſea-ports,
ſhall have all their liberties and free cuſtoms.——And to 14
have a common council of the kingdom, to aſſeſs an aid,
otherwiſe than in the three foreſaid caſes, or to aſſeſs a
ſcutage, we will cauſe to be ſummoned the archbiſhops,
biſhops, earls, and greater barons, perſonally, by our
letters; and beſides, we will cauſe to be ſummoned in
general by our ſheriffs and bailiffs all thoſe who hold of
us in chief, to a certain day, at the diſtance of forty
days at leaſt, and to a certain place; and in all the
letters of ſummons, we will expreſs the cauſe of the ſum-
mons; and the ſummons being thus made, the buſineſs
ſhall go on at the day appointed, according to the advice
of thoſe who ſhall be preſent, although all who had been
ſummoned have not come.——We will not give leave to 15
any one, for the future, to take an aid of his freemen,
except for redeeming his own body, making his eldeſt
ſon a knight, and marrying once his eldeſt daughter; and
that only a reaſonable aid.——Let none be diſtrained to 16
do more ſervice for a knight's fee, nor for any other free
tenement, than what is due from thence.——Common 17
pleas ſhall not follow our court, but ſhall be held in ſome
certain place.——Aſſizes upon the writs of Novel deſſeiſin, 18
Mortdanceſter (death of the anceſtor), and Darrein pre-
ſentment (laſt preſentation), ſhall not be taken but in
their proper counties, and in this manner.—We, or our
chief juſticiary when we are out of the kingdom, ſhall
ſend two juſticiaries into each county, four times a-year,
who, with four knights of each county, choſen by the
county, ſhall take the foreſaid aſſizes, at a ſtated time
and place, within the county.——And if the foreſaid 19
aſſizes cannot be taken on the day of the county-court,
let as many knights and freeholders, of thoſe who were
preſent

No. II. preſent at the county-court, remain behind, as by them the foreſaid aſſizes may be taken; according to the greater
20 or leſs importance of the buſineſs.——A freeman ſhall not be amerced for a ſmall offence, but only according to the degree of the offence; and for a great delinquency, according to the magnitude of the delinquency, ſaving his contenement [b]: a merchant ſhall be amerced in the ſame manner, ſaving his merchandiſe, and a villain, ſaving his implements of huſbandry. If they fall into our mercy, none of the foreſaid amerciaments ſhall be aſſeſſed,
21 but by the oath of honeſt men of the vicinage.——Earls and barons ſhall not be amerced but by their peers, and that only according to the degree of their delinquency.
22 ——No clerk ſhall be amerced for his lay-tenement, but according to the manner of others as aforeſaid, and not according to the quantity of his eccleſiaſtical benefice.
23 ——Neither a town nor a particular perſon ſhall be diſtrained to build bridges or embankments, except thoſe
24 who anciently, and of right, are bound to do it.——No ſheriff, conſtable, coroner, or bailiff of ours, ſhall hold
25 pleas of our crown.——All counties, hundreds, wapontacks, and trithings, ſhall be at the ancient rent, without
26 any increment, except our demeſn-manors.——If any one holding of us a lay-fee dies, and the ſheriff or our bailiff ſhall ſhew our letters-patent of our ſummons for a debt which the defunct owed to us, it ſhall be lawful for the ſheriff or our bailiff to attach and regiſter the chattels of the defunct found on that fee, to the amount of that debt, at the view of lawful men, ſo that nothing ſhall be removed from thence until our debt is paid to us. The clear overplus ſhall be left to the executors to fulfil the laſt-will of the defunct; and if nothing is owing to us by him, all the chattels ſhall fall to the defunct, ſaving
27 to his wife and children their reaſonable ſhares.——If any freeman ſhall die inteſtate, his chattels ſhall be diſtributed

[b] See p. 83. of this volume.

by

by his neareſt relations and friends, at the view of the church, ſaving to every one the debts which the defunct owed to him.——No conſtable or bailiff of ours ſhall take the corn or other goods of any one, without inſtantly paying money for them, unleſs he can obtain reſpite from the free will of the ſeller.——No conſtable (governor of a caſtle) ſhall diſtrain any knight to give money for caſtle-guard, if he is willing to perform it by his own perſon, or by another good man if he cannot perform it himſelf, for a reaſonable cauſe. Or if we have carried or ſent him into the army, he ſhall be excuſed from caſtle-guard, according to the ſpace of time he hath been in the army at our command.——No ſheriff or bailiff of ours, or any other perſon ſhall take the horſes or carts of any freeman, to perform carriages, without the conſent of the ſaid freeman.——Neither we, nor our bailiffs, ſhall take another man's wood, for our caſtles or other uſes, without the conſent of him to whom the wood belongs.——We will not retain the lands of thoſe who have been convicted of felony, above one year and one day, and then they ſhall be given up to the lord of the fee.——All kydells (wears) for the future ſhall be quite removed out of the Thames, the Medway, and through all England, except on the ſea-coaſt——The writ which is called *Precipe* for the future ſhall not be granted to any one concerning any tenement by which a freeman may loſe his court.——There ſhall be one meaſure of wine through all our kingdom, and one meaſure of ale, and one meaſure of corn, viz. the quarter of London; and one breadth of dyed-cloth and of ruſſets, and of halberjects, viz. two ells within the liſts. It ſhall be the ſame with weights as with meaſures.——Nothing ſhall be given or taken for the future for the writ of inquiſition of life or limb; but it ſhall be given *gratis*, and not denied.——If any hold of us by fee-farm, or ſoccage, or burgage, and holds an eſtate of another by military ſervice, we ſhall not have

No. II.

28 29 30 31 32 33 34 35 36 37

the

No. II. the cuſtody of the heir, or of his land, which is of the fee of another, on account of that fee-farm, or ſoccage, or burgage, unleſs the fee-farm owes military ſervice. We ſhall not have the cuſtody of the heir, or of the land of any one, which he holds of another, by military ſervice, on account of any petty ſergeantry which he holds of us
38 by giving us knives, arrows, or the like.——No bailiff, for the future, ſhall put any man to his law, upon his own ſimple affirmation, without credible witneſſes produced to
39 that purpoſe.——No freeman ſhall be ſeized, or impriſoned, or diſſeiſed, or outlawed, or any way deſtroyed, nor will we go upon him, nor will we ſend upon him, except by the legal judgment of his peers, or by the law
40 of the land [c].——To none will we ſell, to none will we
41 deny, to none will we delay right or juſtice.——All merchants ſhall be ſafe and ſecure in coming into England, and going out of England, and ſtaying and travelling through England, as well by land as by water, to buy and to ſell, without any unjuſt exactions, according to ancient and right cuſtoms, except in time of war, and if they be of a country at war againſt us. And if ſuch are found in our dominions at the beginning of a war, they ſhall be apprehended without injury of their bodies and goods, until
e it be known to us, or to our chief juſticiary how the merchants of our country are treated in the country at war againſt us; and if ours are ſafe there, the others ſhall
42 be ſafe in our country.——It ſhall be lawful to any perſon, for the future, to go out of our kingdom, and to return, ſafely and ſecurely, by land and by water, ſaving his allegiance, except in time of war, for ſome ſhort ſpace, for the common good of the kingdom, except priſoners, outlaws according to the law of the land, and people of the nation at war againſt us, and merchants who ſhall be
43 treated as is ſaid above.——If any one holdeth of any eſcheat, as of the honour of Wallingford, Nottingham,

[c] See p. 80, of this volume.

Boulogne,

Boulogne, Lancaſtre, or of other eſcheats which are in our hands, and ſhall die, his heir ſhall not give any other relief, or do any other ſervice to us, than he ſhould have done to the baron, if that barony had been in the hands of the baron; and we will hold it in the ſame manner that the baron held it.——Men who dwell without the foreſt, 44 ſhall not come, for the future, before our juſticiaries of the foreſt, on a common ſummons, unleſs they be parties in a plea, or ſureties for ſome perſon or perſons who are attached for the foreſt.——We will not make men juſti- 45 ciaries, conſtables, ſheriffs, or bailiffs, unleſs they underſtand the law of the land, and are well diſpoſed to obſerve it.——All barons who have founded abbeys, of which 46 they have charters of the kings of England, or ancient tenure, ſhall have the cuſtody of them when they become vacant, as they ought to have.——All foreſts which have 47 been made in our time, ſhall be immediately diſforeſted; and it ſhall be ſo done with water-banks which have been made in our time, in defiance.——All evil cuſtoms of 48 foreſts and warrens, and of foreſters and warreners, ſheriffs and their officers, water-banks and their keepers, ſhall immediately be inquired into by twelve knights of the ſame county, upon oath, who ſhall be choſen by the good men of the ſame county; and within forty days after the inquiſition is made, they ſhall be quite deſtroyed by them never to be reſtored; provided that this be notified to us before it is done, or to our juſticiary, if we are not in England.——We will immediately reſtore all 49 hoſtages and charters which have been delivered to us by the Engliſh, in ſecurity of the peace, and of their faithful ſervice.——We will remove from their offices the rela- 50 tions of Gerard de Athyes, that, for the future, they ſhall have no office in England, Engelard de Cygony, Andrew, Peter, and Gyone de Chancell, Gyone de Cygony, Geoffery de Martin, and his brothers; Philip Mark, and his brothers; and Geoffery his grandſon;

No. II.

No. II. and all their followers.——And immediately after the concluſion of the peace, we will remove out of the king-
51 dom all foreign knights, croſs-bow-men, and ſtipendiary ſoldiers, who have come with horſes and arms to the mo-
52 leſtation of the kingdom.——If any have been diſſeiſed or diſpoſſeſſed by us, without a legal verdict of their peers, or their lands, caſtles, liberties or rights, we will immediately reſtore theſe things to them; and if a queſtion ſhall ariſe on this head, it ſhall be determined by the verdict of the twenty-five barons, who ſhall be mentioned below, for the ſecurity of the peace. But as to all thoſe things of which any one hath been diſſeiſed or diſpoſſeſſed, without a legal verdict of his peers, by king Henry our father, or king Richard our brother, which we have in our hand, or others hold with our warrants, we ſhall have reſpite, until the common term of the Croiſaders, except thoſe concerning which a plea had been moved, or an inquiſition taken, by our precept, before our taking the croſs. But as ſoon as we ſhall return from our expedition, or if, by chance, we ſhall not go upon our expedition, we ſhall immediately do complete juſtice therein.
53 ——But we ſhall have the ſame reſpite, and in the ſame manner, concerning the juſtice to be done about diſforeſting or continuing the foreſts which Henry our father, or Richard our brother, had made; and about the wardſhip of lands which are of the fee of ſome other perſon, but the wardſhip of which we have hitherto had, on account of a fee which ſome one held of us by military ſervice; and about abbeys which had been founded in the fee of another, and not in ours, in which abbeys the lord of the fee hath claimed a right. And when we ſhall have returned, or if we ſhall ſtay from our expedition, we ſhall
54 immediately do complete juſtice in all theſe pleas.——No man ſhall be apprehended or impriſoned on *the appeal of a woman*, for the death of any other man than her huſband.
55 ——All fines that have been made with us unjuſtly, or

contrary

contrary to the law of the land; and all amerciaments that have been impoſed unjuſtly, or contrary to the law of the land, ſhall be remitted, or diſpoſed of by the verdict of the twenty five barons of whom mention is made below for the ſecurity of the peace, or by the verdict of the major part of them, together with the foreſaid Stephen archbiſhop of Canterbury, if he can be preſent, and others whom he may think fit to bring with him; and if he cannot be preſent, the buſineſs ſhall proceed notwithſtanding without him: but ſo, that if one or more of the foreſaid twenty-five barons have a ſimilar plea, let them be removed from that particular trial, and others elected and ſworn by the reſidue of the ſame twenty-five, be ſubſtituted in their room, only for that trial.——If we have 56
diſſeiſed or diſpoſſeſſed any Welſhman of their land, liberties, or other things, without a legal verdict of their peers, in England or in Wales, they ſhall be immediately reſtored to them; and if a queſtion ſhall ariſe about it, then let it be determined in the marches by the verdict of their peers, if the tenement be in England, according to the law of England: if the tenement be in Wales, according to the law of Wales: if the tenement be in the marches, according to the law of the marches. The
Welſh ſhall do the ſame to us and our ſubjects.——But 57
concerning thoſe things of which any Welſhman hath been diſſeiſed or diſpoſſeſſed without a legal verdict of his peers, by king Henry our father, or king Richard our brother, which we have in our hand, or others hold with our warranty, we ſhall have reſpite, until the common term of the Croiſaders, except thoſe concerning which a plea had been moved, or an inquiſition taken, by our precept, before our taking the croſs. But as ſoon as we ſhall return from our expedition; or if by chance, we ſhall not go upon our expedition, we ſhall immediately do complete juſtice therein, according to the laws of Wales, and the parts aforeſaid.——We will immediately deliver up the ſon of 58

No. II.

No. II. Leweline, and all the hoſtages of Wales, and charters which have been given to us for ſecurity of the peace.

59 ——We ſhall do to Alexander king of Scotland, concerning the reſtoration of his ſiſters and hoſtages, and his liberties and rights, according to the form in which we act to our other barons of England, unleſs it ought to be otherwiſe by charters which we have from his father William late king of Scotland, and that by the verdict of his

60 peers in our court.——But all theſe foreſaid cuſtoms and liberties which we have granted in our kingdom, to be held by our tenants, as far as concerns us, all our clergy and laity ſhall obſerve towards their tenants, as far as concerns them.——But ſince we have granted all theſe things aforeſaid, for God, and to the amendment of our kingdom, and for the better extinguiſhing the diſcord ariſen between us and our barons, being deſirous that theſe things ſhould poſſeſs entire and unſhaken ſtability for ever, we give and grant to them the ſecurity underwritten, viz. That the barons may elect twenty-five barons of the kingdom, whom they pleaſe, who ſhall with their whole power, obſerve and keep, and cauſe to be obſerved, the peace and liberties which we have granted to them, and have confirmed by this our preſent charter, in this manner. That if we, or our juſticiary, or our bailiffs, or any of our officers, ſhall have injured any one in any thing, or ſhall have violated any article of the peace or ſecurity, and the injury ſhall have been ſhown to four of the foreſaid twenty-five barons, theſe four barons ſhall come to us, or to our juſticiary if we are out of the kingdom, and making known to us the exceſs committed, require that we cauſe that exceſs to be redreſſed without delay; and if we ſhall not have redreſſed the exceſs, or, if we have been out of the kingdom, our juſticiary ſhall not have redreſſed it within the term of forty days, computing from the time in which it ſhall have been made known to us, or to our juſticiary if we have been out of the kingdom, the foreſaid

foreſaid four barons ſhall lay that cauſe before the reſidue of the twenty-five barons; and theſe twenty five barons, with the community of the whole land, ſhall diſtreſs and haraſs us by all the ways in which they can, that is to ſay, by the taking of our caſtles, lands, and poſſeſſions, and by other means in their power, until the exceſs ſhall have been redreſſed, according to their verdict; ſaving our perſon, and the perſons of our queen and children; and when it hath been redreſſed, they ſhall behave to us as they had done before: and whoever of our land pleaſeth, may ſwear, that he will obey the commands of the foreſaid twenty-five barons, in accompliſhing all the things aforeſaid, and that with them he will haraſs us to the utmoſt of his power: and we publickly and freely give leave to every one to ſwear who is willing to ſwear; and we will never forbid any man to ſwear. But all thoſe of our land, who, of themſelves, and their own accord, are unwilling to ſwear to the twenty-five barons, to diſtreſs and haraſs us together with them, we will compel them by our command, to ſwear as aforeſaid. And if any one of the twenty-five barons ſhall die, or remove out of the land, or in any other way ſhall be prevented from executing the things above ſaid, thoſe who remain of the twenty-five barons ſhall elect another in his place, according to their pleaſure, who ſhall be ſworn in the ſame manner as the reſt. But in all thoſe things which are appointed to be done by theſe twenty-five barons, if it happen that all the twenty-five have been preſent, and have differed in their opinions about any thing, or if ſome of them who had been ſummoned, would not, or could not be preſent, that which the major part of thoſe who were preſent ſhall have provided and decreed, ſhall be held as firm and valid, as if all the twenty-five had agreed in it. And the foreſaid twenty-five ſhall ſwear, that they will faithfully obſerve, and, to the utmoſt of their power, cauſe to be obſerved, all the things mentioned above. And we will

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obtain nothing from any one, by ourſelves, or by another, by which any of theſe conceſſions and liberties may be revoked or diminiſhed. And if any ſuch thing hath been obtained, let it be void and null; and we will never uſe it, either by ourſelves or by another. And we have fully remitted and pardoned to all men, all the ill-will, rancour, and reſentments which have ariſen between us and our ſubjects, both clergy and laity, from the commencement of the diſcord. Beſides, we have fully remitted to all the clergy and laity, and as far as belongs to us, we have fully pardoned all tranſgreſſions committed on occaſion of the ſaid diſcord, from Eaſter, in the ſixteenth year of our reign, to the concluſion of the peace. And, moreover we have cauſed to be made to them teſtimonial letters-patent of my lord Stephen archbiſhop of Canterbury, my lord Henry archbiſhop of Dublin, and of the foreſaid biſhops, and of Mr. Pandulf, concerning this ſecurity, and the foreſaid conceſſions. Wherefore, our will is, and we firmly command, that the church of England be free, and that the men in our kingdom have and hold all the foreſaid liberties, rights, and conceſſions, well and in peace, freely and quietly, fully and entirely, to them and their heirs, of us and our heirs, in all things and places for ever as aforeſaid. An oath hath been taken, as well on our part, as on the part of the barons, that all theſe things mentioned above ſhall be obſerved in good faith, and without any evil intention, before the above-named witneſſes, and many others. Given by our hand in the meadow, which is called *Runingmed*, between Windſor and Stains, this fifteenth day of June, in the ſeventeenth year of our reign.

NUMBER III.

AD PETRUM AMICUM MEDICUM.

ARGUMENTUM.] Indicat Petro Medicinæ perito se ex intinere ægrum nobilem virum invisisse, & medicinam illi feciſſe: rationem morbi & medicinæ exponit; ac de cætero ægrum illius curæ committit.

Chariſſimo amico ſuo PETRO, *Magiſter P. Bleſenſis, ſalutem in vero ſalutari.*

NUPER ingrediebar Ambaſiam, ubi vir nobilis Geldewinus graviter ægrotabat: occurritque mihi dominus caſtri, rogans humiliter & obnixe, ut diverterem ad infirmum. Aſſerebat enim quod etſi manum curationis ei non apponerem, haberet tamen ex viſitatione mea qualecumque ſolatium. Ad inſtantia mitaque magnatum, qui pro infirmo devotiſſime ſupplicabant, triduum ibi feci. Et quia propter occupationes meas, quas ipſe noviſtis, moram non poteram ibi facere longiorem, conſilium meum fuit, ut vocarent vos; pinguique retributione veſtram circa infirmum diligentiam excitarent. Licet autem ſitis circumſpectus in his, tanquam ſimilia frequenter expertus: quia tamen teſtimonio Hippocratis eſt experimentum fallax, & quandoque uni revelat Dominus, quod abſcondit ab aliis: non tædeat vos audire hujus ægritudinis modum: ſymptomata etiam, quæ plenius vos inſtruent: et quibus auxiliis in ægritudine ſit utendum. Commune quidem medicorum vitium eſt, ſemper circa ægritudines variare: unde ſi tres aut quatuor ad infirmum veniunt, nunquam in aſſignatione cauſæ, vel exhibitione curæ conveniunt. Porro, ſicut nos duo ſumus conformes in votis, ſic & decet, ut identitas ſit in noſtris operibus, & in verbis. Ego ſiquidem primitias curationis adhibui: certuſque ſum, No. III.

No. III. ſum, quod aſſequetur de facili ſanitatem, ſi ſit qui prudenter contineat manum ſuam. Noveritis autem certiſſime, quia medium hemitritæum patitur: cum enim patiatur continue de tertio in tertium, magis affligitur. Scitis autem quod ſi minor hemitritæus eſſet, cum habeat generari ex phlegmate putrefacto in vaſis, & extra, ſuos numquam tertiaret aſſultus. Quod ſi major hemitritæus eſſet, propter putrefactionem melancholiæ intus & extra in motu materiæ interioris, auger etiam motum & aptitudinem membrorum amitteret, dentes etiam ipſius ad ſe invicem clauderentur. Quæ omnia, quia in hac febre minime accidunt, conſtat medium eſſe hemitritæum provenientem ex cholera in vaſis & ſtomacho putrefacta. Nam ſi in hepate putrefacta eſſet, quod quandoque ſolet accidere, urina rubea & tenuis minaretur aduſtionem, & ad nigredinem pertineret: quod, quia non accidit videtis materiam in vaſis & ſtomacho reſidere. Ex quo igitur veni, quia ipſa die cum febris invaſerat, feci ei venam hepaticam aperiri. Et quia, dum morbus in augmento eſt (quod ex eo liquet, quia adhuc eſt urina rubea & tenuis), nondum eſt purgatione utendum, uſus ſum repreſſivis, oleumque violaceum ſuper cor & hepar, ac fronti ejus appoſui. Reſtat igitur, ut cum urina ſpiſſior plena digeſtionis tempus nuntiaverit, detis ei frigidum caphonia quod dare tutius eſt, quam oxi, vel aliud: nam in illo tota malitia ſcammoneæ beneficio decoctionis evanuit. Optima etiam ei eſſet decoctio caſſiæ ſiſtulæ myrobalanorum citrinorum cum capillis Veneris et ſeminibus citroli, cucurbitæ, & melonis: ſi tamen infirmi vires hæc videritis poſſe pati. Dietam, ſicut ſcitis, oportet eſſe pertineum: ptiſanam ſcilicet, & micam panis ter in aquis aquater ablutam, fomentationeſque de maluis, & violis & papavere, non deficiant circa pedes: nam ibi calor plurimum invaleſcit. Si vero vehemens vigor cum capitis, ſicut evenire ſolet, invaſerit, radatur caput, aqua roſacea, & ſucco ſolati, & ſempervivi, c[illegible]

& vermicularis, atque plantaginis, pannorum intinctione, caput, frons, & tempora mulceantur. Propter ingruentiam fitis lingua lavetur, ſicut ſcitis, cum pſyllio, lignoque radatur. Ad inſomnitates, papaveris nigri, maluæ, violæ hyoſcyami decoctio pedibus, herbæque decoctæ capiti apponantur. Contra inobedientiam ventris fiat ſuppoſitorium, aut clyſtere. Hæc ideo ſcribo vobis, non ut indigeatis inſtrui, ſed ut vobis ſecurior, & ægroto acceptior ſit medicina, quæ de noſtra communi deliberatione procedit. Frequenter enim ex aptitudine medici gratioſa, ex quadam confidentia quam ægrotus inde concipit, natura jam deficiens convaleſcit. Oportet igitur vos circa hunc circumſpectum eſſe ac ſtrenuum, de cujus convaleſcentia, & magni titulus honoris vobis accreſcet, & utilitas reſpondebit ad votum. No. III.

NUMBER IV.

Permiſſion of Richard I. for holding tournaments in England.

RICHARD, by the grace of God, &c. to the reverend father in Chriſt, Hubert, Arch. of Cant. &c. greeting. Know that we have permitted tournaments to be held in England, in five places; between Sarum and Wilton, between Werewicke and Kenelingworthe, between Stamford and Warrinford [Wallingford], between Brakeley and Mixebery, between Blie and Tykehill; yet ſo that the peace of our land be not broken, nor juſtice hindered, nor damage done to our forells. And an earl who ſhall turney there ſhall pay 20 marcs, and a baron [illegible] who has land, 4 marcs, and a [illegible] who has [illegible] marcs. No forreiner ſhall turney No IV.

No. IV. turney there. Wherefore we command you, that on the day of the tournament you ſhall provide, at each place, two clerks and [your], two knights, to receive the oaths from the earls and barons, for their ſatisfaction, concerning the aforeſaid ſums, &c.

END OF THE SIXTH VOLUME.

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